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PREFACE

This book is a collection of the text of the Cabinet Mission's Award and other relevant matter connected therewith *viz.* resolutions of the main political parties, important speeches of their leaders, etc. etc.

This volume is presented to the reader in order to enable him to study the issues involved in the recent Indo-British talks, held, according to the British Government, for 'helping India attain her freedom as speedily and fully as possible'.

LAHORE : MOHAMMAD ASHRAF

September 2, 1946

CHAPTER I

ATTLEE'S ANNOUNCEMENT

Mr. Clement Attlee, the Labour Prime Minister of England, announced in the House of Commons, on March 15, this year that three Cabinet Ministers—Lord Pethick-Lawrence, Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade and Mr. A. V. Alexander, First Lord of Admirality—would shortly leave for India in order to facilitate self-government for that country in conjunction with the Viceroy and in consultation with the recognised party leaders there.

The Prime Minister said, "I am well aware that when I speak of India I speak of a country containing congeries of races, religions and languages, and I know well the difficulties thereby created but these difficulties can only be overcome by Indians.

"We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand we cannot allow a minority to place veto on the advance of a majority.

"We cannot dictate how these difficulties shall be overcome. Our first duty is to get a machinery of decision set up, and that is the main purpose of the ministerial mission and the Viceroy.

"We want to see set up an interim government to give the Viceroy greater freedom in order that in the period which is to elapse while a constitution is worked out you may have a government enjoying the greatest possible support in India."

This announcement of the British Prime Minister was received differently in the Congress and League circles.

Maulana Azad, President of the Indian Congress, said, "I consider that the speech of the British Prime Minister, on the whole, has helped to create the desirable atmosphere which we want to maintain during the stay of the Cabinet delegation in India. It has thrown light on certain basic problems and I believe its spirit will generally be appreciated in the country.

"The real problem to be tackled now does not concern theoretical principles, but actual practice, and from this, future results will naturally flow".

Mr. Gandhi was also very cheerful at prayer time which was indicative of his satisfaction over Mr. Attlee's speech.

Sir Tej Bahadur Sapru said, "I think it is a most satisfactory statement yet made by any Prime Minister on Indian question".

Dr. Pattabhi Sitaramayya, member, Congress Working Committee, said that Mr. Attlee's speech made on March 15 might well be compared with that of Mr. Churchill's of March 11, 1942.

"Then Mr. Churchill announced the *Cripps'* Mission. Now Mr. Attlee announces the Cabinet Ministers' Mission to India.

"Then the background of Mr. Churchill's announcement was the Japanese invasion, as he himself had expressly put, now it is 'the tension of the whole of India.' And the 'critical position' of the moment, to quote Mr. Attlee's words.

"Then Mr. Churchill spoke of dominion status. Now Mr. Attlee speaks of the freedom and independence that must necessarily be given to India, which had fought two successive wars in order to restore freedom to nations weighed down by tyranny.

"Then Mr. Churchill spoke of the August 1940 declaration in the House of Commons. Now Mr. Attlee

deprecates the raking up of the past and the faults made by both sides and emphasises the future.

"Then Mr. Churchill raised the spectre of the minorities which could not be ignored and the majorities which could not coerce them. Now Mr. Attlee declares that minorities cannot be allowed to impede the progress of majorities.

"Then Mr. Churchill hoped for success. Now Mr. Attlee says the Mission is determined to succeed while Lord Pethick-Lawrence has stated that the object of his mission "is to reconcile the irreconcilable and solve the insoluble.

"What a contrast between 1942 and 1946!

"Let us hope it will yield abiding results."

Mr. Mohammad Ali Jinnah, President of the All-India Muslim League, in an interview to the press said,

"I regret that Mr. Attlee, though in a guarded and qualified manner, has done rope-walking when he said, "on the other hand we cannot allow a minority to place a veto on the advance of a majority." He has fallen into the trap of false propaganda that has been carried on for some time. There is no question of veto or holding up the progress or advancement of a majority. To give a simile says the spider to the fly: 'Walk into my parlour,' and if the fly refuses it is said a veto is being exercised and the fly is intransigent.

"However, I note that the Prime Minister in the same breath says: 'We are mindful of the rights of the minorities and the minorities should be able to live free from fear.' I want to reiterate that the Muslims of India are not a minority, but a nation and self-determination is their birthright. If the Cabinet Mission comes with an open mind, there is hope of their realising the true situation. If the expression that the Cabinet Mission going 'in a positive mood' means—we are

resolved that machinery shall be set by way of a single-constitution making body or a constituent assembly, then it is futile for him to say in the next breath that 'We seek the utmost co-operation of all Indian leaders to do so.' Having said that, he goes on to say: 'The House realises the difficulty of the task which members of the Mission have undertaken in conjunction with the Viceroy and no one will desire to say anything that will make their task more difficult.' He himself has indulged in various expressions which are contradictory and are calculated to create misunderstanding.

"In one place he again says: 'But in our fluid position at the present time when we desire to get the utmost co-operation and goodwill between all leaders of Indian opinion, it would be unwise to try and tie down those who are going out too rigidly.' And I am glad he has realised when he says further 'you cannot make Indians responsible for governing themselves and at the same time retain over here in England the responsibility for treatment of minorities and powers of intervention on their behalf.'

"It seems that he was speaking to a larger audience with many voices, but so far as we are concerned our position remains definite that we stand for a division of India and the establishment of Pakistan."

CHAPTER II

DELEGATION'S MISSION IN INDIA

The Cabinet Mission left England on March 19 and arrived at Karachi on the evening of March 23.

Lord Pethick-Lawrence and Sir Stafford Cripps met a group of waiting pressmen and answered a number of questions regarding their mission in India.

In a short statement, Lord Pethick-Lawrence said, "As my colleagues and I set foot on the soil of India, we bring to the people of this country, on behalf of the British Government and of the British people, a message of cordial friendship and goodwill. We are convinced that India is on the threshold of a very great future when in the exercise of her freedom she will stand for the preservation of civilisation in the East and bring her great influence to bear on the counsels of the nations.

"We have come but with one purpose in view. It is, in conjunction with Lord Wavell, to discuss with the leaders of India and her elected representatives how best to speed the fulfilment of your aspirations, to take full control of your own affairs and thus enable us to complete the transfer of responsibility with pride and honour to yourselves. The British Government and the British people desire without reservation to consummate the promises and pledges that have been made and we can assure you that in our negotiations we shall not seek to provide for anything that is incompatible in any way to the sovereign dignity of India.

"We have, then, with all our Indian associates, the common objective for the achievement of which all our energies will be devoted in the coming weeks. The precise road towards the final structure of India's independence is not yet clear but let the vision of it inspire

us all in our renewed efforts to find the path of co-operation. I am confident we shall face our task together in faith and with determination to succeed."

Sir Stafford Cripps identified himself with the observations of Lord Pethick-Lawrence and said that a fuller statement would be made at Delhi to the press on March 25.

Replying to a question, he said that it was not true that a draft treaty of alliance between Britain and India was already discussed between Indian leaders and the British Government. "We are just and we have come with an open mind," he added.

As regards Pakistan, Sir Stafford Cripps emphasised that the Mission had not come with any set views but that they had to investigate and enquire about that (Pakistan).

If the Cripps' proposals of 1942 formed the basis of the present negotiations?

Sir Stafford said, "We are not going backward. We are going forward." He added, "We have not come to adjudicate between rival claims in India but to find out the means for the transfer of power to Indian hands."

He concluded by saying that they would return home only when their task was over.

The party along with their staff spent the night at the Government House. They left for Delhi the following morning and reached there by about midday by air.

As promised, Lord Pethick-Lawrence addressed a press conference on March 25.

The following is the full text of the statement :

"It is a great pleasure to me and my colleagues, Sir Stafford Cripps and Mr. A. V. Alexander, to visit your

country at a time of such crucial importance in its history. I was myself last in India in 1926 and then made many friends with whom I have since kept in constant touch. Sir Stafford Cripps is well known to you from his first visit in 1942 and his earlier unofficial visit in 1940. Mr. Alexander has not before had the pleasure of visiting your country but he is a good friend of India with deep and sympathetic interest in your problems. The Viceroy, while continuing to carry the full load of his normal responsibilities, will join with us as our colleague in the discussions with Indian leaders, for which the Mission has come here.

"With one or two exceptions, all the results of provincial elections will be known by the end of the next ten days. We shall, therefore, begin our consultations a week from today. In the meantime, I and my colleagues will be engaged in bringing ourselves up to date with the situation and in conferring with His Excellency the Viceroy and with the Governors of provinces, who are coming to Delhi to see us. We are looking forward to the meeting with the Executive Council tomorrow evening.

"You all know the general purpose of our discussions on which we shall be engaged. It was stated by Mr. Attlee, our Prime Minister, in his speech in the Commons on March 15. The discussions now to begin are preliminary to the setting up of a machinery, whereby the form under which India can realise her full independent status can be determined by Indians. The objective is to set up an acceptable machinery quickly and make the necessary interim arrangements.

"Mr. Attlee in his speech which, in the subsequent debate was shown to represent substantially the views of all parties, made it quite clear that if Indians should decide that they desire, under their new constitutional arrangements, to be outside the British

Commonwealth of nations, His Majesty's Government will recognise their right to take that decision. We believe ourselves that India will find great advantages in remaining within the free association of the British Commonwealth. But it is a free association and we have no desire to press India to stay within it against her considered judgment.

"The issue of freedom and self-determination is therefore settled in principle. We have now to work out in co--operation by means of which Indians can themselves decide the form of their new institutions with the minimum of disturbance and maximum of speed. The Indian States which have a great part to play in India's future must clearly be invited to join in this task. We are encouraged by the knowledge that many of the rulers share the general desire for immediate attainment by India of her full freedom.

"In the meantime, it is most desirable that a more representative Government having full popular support should come into being at the centre so as to bring the country through its period of transition. It is of the greatest importance that the transfer of responsibility should be smoothly and efficiently carried through. This is primarily an Indian, but also a British, interest, and it will be a fresh source of pride to India and to Britain if we can demonstrate to the world our ability to make a smooth and peaceful change of so far-reaching a character. It is to that end that we have come to play, what we hope will be, a helpful part.

"Our talks will not be concerned with the question of whether India shall determine her own destiny—that is already decided—but how she will do so. My colleagues and I look with confidence, therefore, to you, who represent the great Indian press of all shades of opinion, to exercise with helpfulness and restraint the far-reaching influence which you have

in public affairs. There is no doubt that there are difficult questions which must be solved. During our talks we shall all need patience, tolerance and a spirit of compromise, and your co-operation in achieving and maintaining this helpful spirit of co-operation will greatly assist our task. I have no doubt that success in our joint task is attainable, provided that all us set the good of the Indian people above any other interest, and that we let nothing interfere with our determination to solve the problem.

"You already know the programme which we have arranged for the beginning of our discussions. We shall be collecting the views of representatives of the Provincial and Central Legislatures, of the leading all-India parties and organisations, and of Indian States. We have, of course, followed closely the statements of policy of the main parties and the important utterances of Indian leaders. But there are many matters which we shall need to discuss before we can feel that we have obtained a full appreciation of all points of view. These interviews will occupy a great deal of our time until about the middle of April and our programme after that will depend on developments.

"There are two matters connected with our programme that I should like to mention today. We are receiving a great number of requests from organisations and individuals all over India who wish us to hear their views in person. I must make it quite clear that I and my colleagues have come here for the single purpose which I have already described to you. We have no wish to deny a hearing to anyone, but it is quite impossible for us to meet all who would wish us to see them. We shall, therefore, limit ourselves to seeing those who are judged to be best able to help us in our task.

"Moreover, I, as Secretary of State, shall not be able to give interviews on matters outside the work for

which the Cabinet delegation have come here. All such matters must be dealt with by the Government of India or the Crown representative in the normal way. I fear that we shall have also to disappoint the great majority of the many kind people, who are sending us social invitations. They will, I am sure, realise that we have a very heavy programme and that it is necessary to devote all our energies to the task in hand.

"My colleagues and I do not propose to hold press conferences on regular dates, but from time to time when we feel that we can usefully meet you, we shall invite you to come. Mr. Joyce who is well known to many of you is Principal Information Officer to the delegation and he will hold more frequent conferences to keep you in touch with developments.

"I am sure you will appreciate that during our visit we shall be unable to give exclusive interviews for publication to any individual correspondent. We are anxious that all sections of the press and the representatives of broadcasting organisations, should be treated with complete impartiality and the only satisfactory way of achieving this is, of course, by the press conference procedure, but we hope we shall have opportunities of meeting you informally and off the record.

"We cannot, of course, at this meeting express any views either on the share of the machinery that should be devised for determining a solution, or on the merits of any particular constitutional plan. These are matters which must await the discussions with Indian representatives. We have come with only one fixed intention. And that is to play our full part as representing His Majesty's Government in helping Indians to achieve their independence. Beyond that we have open minds and are not committed to any particular views. But that does not mean that we come in a hesitant or indecisive frame of mind. We come to

enable Indians to take their place and play their full part amongst the great nations of the world and with determination to bring our discussions to decisive and friendly conclusion, we hope, with the goodwill of all the inhabitants of this great country."

After making the above statement, Lord Pethick-Lawrence invited questions from the press.

Embarrassing questions came from every side but the old man declined to be drawn into any commitment beyond the Prime Minister's statement in the House of Commons made on March 15. The Prime Minister's statement, "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand we cannot allow a minority to place their veto on the advance of the majority," was the main target of the correspondents' attack.

The Secretary of State commented, "That does not, of course, mean that reasonable claims of minorities are to be disregarded. The result of the elections has made it clear that voters are looking to two main parties to represent their views, namely, the Congress and the Muslim League. While the Congress Party are representative of larger numbers, it would not be right to regard the Muslim League as merely a minority party. They are, in fact, majority representative of the great Muslim community.

"The words of the Prime Minister stand in their entirety," he declared.

Q.—Do the Labour Government regard Muslims as a nation or a minority?

Lord Pethick-Lawrence: We regard them as one of the great communities in India.

Q.—Are we, therefore, to interpret this to mean that Muslims are neither a minority nor a nation but a great community?

Ans.—You can put your own interpretation.

A correspondent drew attention to past pledges on behalf of His Majesty's Government and asked whether the fulfilment of these pledges would be part of the Mission's work. The Secretary of State observed that as the years went by the situation changed, and the promises made had to be adopted to the existing situation, bearing in mind, of course, the spirit of those pledges and promises.

Lord Pethick-Lawrence declined to reply to hypothetical questions like what would happen in the case of a demand for two constitution making bodies instead of one.

Q.—Do you propose to ask the Viceroy to release political prisoners before the talks start? Should we expect an announcement on this commemorating your arrival?

The Secretary of State: I think that is quite a separate matter. This would be one of the matters for discussion with the Viceroy but I don't think we shall make that condition precedent to the discussions.

Q.—Just as you are asking Russia to withdraw her troops from Iran, will you also withdraw your troops from India, so that discussions can take place without any pressure?

The Secretary of State said the whole question of the position of troops was one to be discussed at the appropriate time.

Q.—Will the Mission meet leaders of the underground world?

The Secretary of State: If they will be of assistance in our task we shall see them.

Q.—How is the press to co-operate with the Mission?

Sir Stafford Cripps said the less exaggeration there was in the press of mutual criticism, the easier it would be to come to an accommodation.

Sir Usha Nath Sen, President of the Press Association, thanking the delegation for taking an early opportunity to meet the press, gave the assurance that the press would give their best co-operation in the Mission's work.

Lord Pethick-Lawrence expressed appreciation of the assurance and said that he expected to have further opportunities of meeting the press.

" I am quite sure you will appreciate that we are not today concerned to explain what we shall do under hypothetical conditions. We are going into these negotiations full of confidence and hope, and we believe we can reach an agreement with your co-operation, and we refuse to contemplate a failure."

Asked whether the Mission would make out a time-table for complete transfer of power, the Secretary of State side. " I don't think we can decide on a time-table now. We want the transfer to be made at the earliest possible time. A time-table now would only be made in the dark. A time-table is mainly in the hands of Indians themselves. It is not for us to place a limit by making it too short or too long."

Q.—Do the Mission anticipate a deadline for the transfer of responsibility ?

Lord Pethick-Lawrence replied in the negative and was heard to suggest that if everybody agreed to a dead-line, then, of course, it would be accepted.

Asked to amplify the statement made by the Mission at Karachi that they would not adjudicate on rival claims, the Secretary of State said : " Our intention is to transfer responsibility from us to Indians and we hope that as a result of our negotiations the way will be quite clear for that transfer."

The Secretary of State, replying to a further question, quoted Sir Stafford Cripps' statement in Karachi about legislation and said: "What Sir Stafford said was that the purposes of our present mission could be fulfilled without legislation. These purposes are to get a machinery set up for framing a constitutional structure giving Indians full control over their own destiny and the formation of a new interim government.

Q.—Is it intended to evolve a constitution for the whole of India or for British India alone?

The Secretary of State: We have come in the hope of enabling Indians to produce or set up a machinery for producing a constitutional structure for India as a whole.

Q.—Would States' representatives be representatives of the rulers or of the people?

The Secretary of State replied that as in the case of the franchise, the Mission would take the position as it was. "We cannot ourselves create new structures. We have to take the position as we find it."

Q.—As regards the Mission's statement today that "Indian States must clearly be invited to join in this task," Is the co-operation of States essential or mandatory?

The Secretary of State: What we plan is to invite Indian States to take part in discussions for the setting up of a machinery for framing the future constitutional structure. If I invite you to dinner, it is not obligatory on you to come" (laughter).

Sir Stafford Cripps, at a press conference, addressed exclusively by him on April 3, made it clear again that the Mission had not arrived with any definite scheme for solving the Indian problem.

He said: "One line of criticism that has a little surprised me in view of my own past experience is the criticism that we have not been prepared to disclose what is referred to as our scheme. Because we do not disclose it, we must, therefore, have some very sinister intentions in not disclosing it.

"Some of you remember perhaps the criticism that I met with on a former occasion for having come out here with a cut and dried scheme which I was said to be seeking to impose upon India. Those two criticisms cannot go very well side by side: they are contradictory.

"We decided on this occasion that we definitely would not work out any scheme at all in advance, and that instead we would try and do our utmost to assist the various responsible Indian elements to arrive at some agreement suitable and convenient to themselves

"We really have no scheme, either on paper or in our hands, so its non-disclosure means nothing except that it is not there, and I hope that will be quite clear to everyone.

"As we see the situation, once independence has been decided on—as, of course, it has been—it is our (the Mission's) duty to do all we can to help in arriving at an agreement for a new constitutional structure for the carrying out of which, when it is formed and is in operation, we shall have no responsibility, because we shall be withdrawing from the scene of Indian Government entirely when that new constitutional structure is functioning.

"Nothing could be more important to the long, and I am sure, illustrious future of the Indian people than that the new constitutional structure should be launched with the maximum of agreement and goodwill on all sides. And that, I believe, is where the press can come in and play a very real part."

Earlier in the conference Sir Stafford Cripps explained the general purpose of his meeting with Mr. Jinnah yesterday. "During the coming days," he said, "we hope to meet informally a great number of people of different views and opinions, many of whom are old personal friends of ours with whom we want to renew acquaintance, not on a formal basis but on those pleasant terms of friendship and informality to which we have been accustomed in the past. As you know, I did pay such a visit to Mr. Jinnah, who for many years was a fellow lawyer with me in London."

Giving an account of the past weeks discussions, Sir Stafford said the discussions with the Viceroy, the Executive Council and the Governors were found extremely useful. "We were able to get many different points of view which will help to formulate in our minds more precisely the actual key problems which have to be met and solved."

Sir Stafford said that after the round of exploratory discussions on which the Mission was embarking this week with the elected representatives, Prime Ministers and Leaders of the Opposition in the various Provincial Governments, the Mission would get down to rather closer discussions with the principal elements who seemed to the Mission to be the most important factors in arriving at the agreement which they were hoping might come.

Sir Stafford hoped that his visit to Mr. Jinnah, and the visits which the Mission would make to Mr. Gandhi and Sir Tej Bahadur Sapru would enable them to get a greater measure of appreciation of the crucial points to be decided in the course of their conversations.

Q.—If the Government wishes that the Indian people should determine their own future, are they prepared to agree to the only recognised democratic means for this purpose, that is, a sovereign Constituent Assembly based on universal suffrage?

Sir Stafford : We feel that the question of the way in which the Constituent Assembly should be formed is primarily a matter for the Indian people, and we hope in the course of discussions to either arrive at an agreement on how it should be done, or at least get very near to that. At present we are anxious to hear their views.

Q.—Has any assurance been given to Executive Councillors that they would not be disturbed?

Sir Stafford: Not at all.

Q.—Why were the Dominions consulted on the question of sending the Cabinet Mission to India?

Ans.—The Dominions were consulted in the sense that they were informed; they were not asked to vary or alter the proposals. That is a matter of courtesy between fellow-members of the Commonwealth.

Replying to another question, Sir Stafford said, " We are not trying to negotiate an agreement between us and India : we are trying to negotiate an agreement between different sections of thought in India. The British Government are, I hope, a helpful and co-operative party in this process."

Sir Stafford said that one of the questions that might come up would be redistribution of boundaries.

Q.—To what extent are the Mission goaded or guided by international events?

Ans.—If by international events you include the state of opinion in India, then we are certainly influenced by it. But if you mean that because of the action of some foreign country we are being prompted to take a certain line of action, then you will be quite wrong. We are not prompted by the action of anybody; we are prompted by the interests of India.

Q.—What is your position with regard to the assurance given to the minorities of India by Lord Linlithgow in August 1940?

Sir Stafford: Like everything else, the importance of minorities and their position and influence may well have changed in the last six years, and that may change the application of any such statement made in the past. We want to start on a fresh basis.

If we start going back to interpreting everything that has been said from Queen Victoria onwards we shall be into an awful muddle.

CHAPTER III

LEAGUE LEGISLATORS' CONVENTION

After achieving a spectacular victory in the Central and Provincial elections which stunned the world, the All-India Muslim League decided to hold a Convention, at Delhi, on April 7, 8 and 9 of Muslim League legislators to reiterate the Pakistan demand of Mussalmans of India through their elected representatives. Incidentally, the British Cabinet Mission was also present at the imperial capital to solve the Indian political problem.

Never in the political history of Mussalmans of India such a Convention was held. Over 500 members of the Central and eleven Provincial Legislatures gathered to consider further steps in the Muslim India's struggle for the achievement of their goal—Pakistan.

Mr. M. A. Jinnah, President of the All-India Muslim League, inaugurated the Convention on the evening of April 7 at the Anglo-Arabic College Hall, bedecked with green flags, buntings and streamers bearing popular League slogans. Some 200 journalists representing the world press were there to report the proceedings of the Convention. Among the visitors there were some Akali leaders including Giani Kartar Singh.

The Muslim leader declared, "There can be no compromise on the issue of Pakistan as a fully sovereign state. God is with us because our cause is righteous and our demand just. We will fight for it, and if necessary we will die for it; but take it we must—or we perish."

The following is the full text of Mr. Jinnah's speech:

" Members of the Central Legislature and of the various Provincial Legislatures who have gathered together here in this Convention, I offer you my cordial thanks and welcome you in this Convention.

" You know that in the battle of election that was raging for months all over India, by the Grace of God and with your sweating labour we have won a victory for which there is no parallel in this world. Ladies and Gentlemen, we had to fight against heavy odds, powerful organisations and all the manœuvres and machinations of our enemies. But I am glad to say that we have routed our opponents in every battlefield. Today this history's record stands that we have captured something like 90 per cent of the Muslim seats and you have gathered here today as the chosen legislative representatives of various constituencies all over India. This Convention is one the like of which has never taken place in the history of India.

" It is a heavy and sacred responsibility that we bear as elected and chosen representatives of our people. This Convention is going to lay down once for all in unequivocal terms as to what we stand for and I have no doubt that we are of one and one opinion that we stand for Pakistan, and we shall not falter or hesitate to fight for it, to die for it if necessary, and achieve it we must or else we perish. (Prolonged cheers.)

" Now you will have the opportunity of exchanging your views among yourselves. We have tried to lay down some practical programme and the programme is that after my address to you, you form yoursleves into a Subjects Committee and each province will select a limited number because we cannot have a large body. After this Subjects Committee is formulated any resolution or resolutions will be placed before the full House. You cannot discuss the resolution when there is a large body

and the practical way of dealing with it is that each province should elect its quota of 10 per cent; in that will be added the number of the members of the Central Legislature-and that will be a very small number. That will form your Subjects Committee. In the Subjects Committee we shall have carefully to examine and review the entire situation that is facing us specially with reference to the solution of the constitutional problem of Pakistan; and in view of the fact that the Cabinet Mission is now here and they have come to discuss matters with us.

"Now, I think you have been reading various statements and speeches that are made every day especially in the course of the last three weeks and I have tried to understand what is the Congress position and I put it before you as I see it.

Congress Position

" The Congress position, according to the latest pronouncements of the leading spokesmen of the Congress during the course of this week, is this. In answer to the Muslim demand of Pakistan, says Sardar Vallabhbhai Patel: " The Congress can accommodate the Muslim League to the extent of reorganising the provinces and giving the fullest autonomy possible to those areas in which the Muslims are predominantly in the majority". He goes on to say: "This would be subject to there being a strong Centre, which would be necessary for the defence of India as a whole". " The Congress", he adds "would never agree to the idea of there being two nations nor will it recognise nationality based upon religion".

"Pandit Jawaharlal Nehru says, on the 4th of April, that the way of dealing with the present situation was to see Indian independence clearly recognised and leave the Indians to compose their differences and find a way out without interference. It is always difficult to

consider these differences in relation to the presence of a third party which controls the situation .... When once it is clearly and definitely realised that India is going to function as an independent entity and that the people of India of various groups and communities must come to terms or unfortunately fight before they come to terms, then reality comes into the picture." He further goes on to say that he envisages as the first stage, after the recognition of independence, the creation of a constitution-making body with sovereign authority. In another recent speech he was good enough to offer "diluted Pakistan" under the suzerainty of a strong central Congress Government.

"If you reduce this Congress formula it comes to this : that the British Government must first grant independence and hand over the machinery of the Government—both civil and military—to the Congress by way of setting up a national government of their conception and stand aside. When they are fully saddled in that power and authority they will proceed to form a constitution-making body with sovereign authority which will finally decide the fate of four hundred millions of people inhabiting this vast sub-continent. Then according to Pandit Nehru the various communities and groups must submit to the decision or fight, and then the reality comes into picture.

"But we have already got the reality in front of us and it is foolish to shut our eyes and imagine that the Congress interim National Government or a decree, the writ and the fiat of the so-called constitution-making body of his conception will command allegiance, respect and obedience. If such a proposal be given effect to and a government of his dream is set up it will not hold for 48 hours. It is inconceivable that this Fascist Grand Council should be vested with full powers immediately to

decide and decree the fate and destiny of 100 millions of people, the existing machinery in their hands to be used against 100 millions Mussalmans and other minorities of millions and other interests involved. It seems the Congress do not realise how fantastic this proposal or scheme is, whatever you may call it.

" On the other hand, the Muslim League proceeds on the basis of reality. I have explained with great details the fundamental and vital differences between the Hindus and the Muslims. There never has been, for all these centuries, either social or political unity between these two major nations. The Indian unity that we talk of up to today is only physical. India is held by the British Government and they have, by their ultimate sanction behind them of the police and the army, maintained peace and law and order in this country.

" *The Congress claim is founded on nationality, which does not exist, except in the eyes of those who merely dream. Our formula is based on the territory of this subcontinent being carved into two sovereign States of Hindustan and Pakistan.*

PRINCIPLE OF PAKISTAN

"Next the acceptance of the fundamental principles of Pakistan is *sine qua non* of the consideration of the question of the Muslim League co-operation in an interim Central Government and further a clear and unequivocal undertaking must be given to implement it without delay. Then alone we can get to the next step.

" It follows that the idea of a single constitution-making body has then no place and we shall not accept it, for it means our consent to proceed on the basis of a united India which is impossible and we cannot give our consent to such a course. Apart from many other objections, one is quite clear that a single constitution-

making body will only register the decree of the Congress and it is a foregone conclusion that Muslims will be in a hopeless minority there.

"On the other hand, according to our formula, there would be two sovereign constitution-making bodies—one for Hindustan and the other for Pakistan—and it is the Pakistan constitution- making body which will be in a position to deal with defence or such other matters as may require adjustment, by virtue of contiguity which will naturally arise. But all this can only be done by means of treaties and agreements between Pakistan and Hindustan.

"*We cannot accept any proposal which would be, in any way, derogatory to the full sovereignty of Pakistan.*

"Our formula gives the Hindus three-fourths of this subcontinent, with a population of nearly 250 millions. Hindustan will be a state bigger than any other state in the world, both in area and population, except China, and we shall have only one-fourth. And in this way we can both live according to our ideals, culture and social construction of the two major nations. Whereas, if the Congress demand is accepted, it is clear as daylight that we shall be thrown under the yoke not only of the Hindu Raj but this present Congress Junta will have the temerity to still harp that they alone represent India, and that they are the soled successors to step in and establish the Congress Raj in place of the British Raj—a position which is impossible and intolerable.

"Muslim India will never agree to its realisation and will be bound and will have no other course open but to resist it by every means possible.

Bluff than Reality

"The British are threatened that if they don't surrender to the Congress demand, there will be bloodshed, for which preparations are going on: that they

CONVENTIONS RESOLUTION

Amid scenes of tremendous enthusiasm, the Convention passed the following resolution on the Indian constitutional issue on April 9 drafted by the Subjects Committee on April 8:

" Whereas in this vast subcontinent of India a hundred million Muslims are the adherents of a faith which regulates every department of their life (educational, social, economic and political), whose code is not confined merely to spiritual doctrines and tenets or rituals and ceremonies and which stands in sharp contrast to the exclusive nature of Hindu Dharma and philosophy which has fostered and maintained for thousands of years rigid caste system resulting in the degradation of 60 million human beings to the position of untouchables, creation of unnatural barriers between man and man and superimposition of social and economic inequalities on a large body of the people of this country, and which threatens to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically ;

" Whereas, the Hindu caste system is a direct negation of nationalism, equality, democracy and all the noble ideals that Islam stands for ;

" Whereas, different historical backgrounds, traditions, cultures, social and economic orders of the Hindus and the Muslims have made impossible the evolution of a single Indian nation inspired by common aspirations and ideals and whereas after centuries they still remain two distinct major nations ;

" Whereas, soon after the introduction by the British of the policy of setting up political institutions in India on the lines of Western democracies based on majority rule which meant that the majority of one nation or society could impose its will on the majority of the other nation or society in spite of their opposition as was amply demonstrated during the two and a half

years' regime of Congress Governments in the Hindu majority provinces under the Government of India Act, 1935, when the Muslims were subjected to untold harassment and oppression as a result of which they were convinced of the futility and ineffectiveness of the so-called safeguards provided in the constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a united Indian Federation, if established, the Muslims even in majority provinces would meet with no better fate and their rights and interests could never be adequately protected against the perpetual Hindu majority at the Centre ;

" Whereas the Muslims are convinced that with a view to save Muslim India from the domination of the Hindus and in order to afford them full scope to develop themselves according to their genius, it is necessary to constitute a sovereign independent State comprising Bengal and Assam in the north-east zone and the Punjab, North-West Frontier Province, Sind and Baluchistan in the north-west zone.

" This Convention of the Muslim League Legislators of India, Central and Provincial, after careful consideration hereby declares that the Muslim nation will never submit to any constitution for a united India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles, calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem :

(1) "That the zones comprising Bengal and Assam in the north-east and the Punjab, North-West Frontier

will paralyse the British trade and they are further threatened that same will be the result if they favour Pakistan.

"If, unfortunately the British are stampeded by the threat of bloodshed, which is more a bluff than a reality, this time Muslim India is not going to remain passive or neutral. It is going to play its part and face all dangers. Mr. Nehru is greatly mistaken that there might be trouble, as he says, but not very much. He is still living in the atmosphere of Anand Bhawan.

"Equally, if the British fall a prey and are prepared to sell the Muslims for trade facilities, which are so profusely offered by the Congress leaders to them—and Mr. Gandhi has gone one better as he has strongly expressed that they will be ready and willing to give "preferences" to British goods. But they forget that the consumer has got a say in the matter too and not merely the Hindu capitalist patrons of the Congress, and that the largest consumers of the British goods are Muslims. I hope that the commercial tendencies of Britain will not stampede them into such alluring promises and attractive preferential trade offers. In fact, the Congress is always in the habit of giving terms but they only don't mean to keep them and they overrule any commitment that may be made according to the circumstances that may suit the Congress.

If Muslims are Betrayed

"But apart from that are the British going to sell the 100 millions of Muslims and millions of other minorities for the sake of illusory hopes and promises of their having a flourishing trade, commerce and markets in India? It will be the greatest tragedy indeed in the history of Great Britain to go to that length and what is more it will never be realised.

"Gentlemen, I have had, as you know, long talks with the Secretary of State for India, unofficially and

thereafter officially with the Cabinet Mission as a whole. I am not in a position to tell you anything except that it was a free and frank and most cordial exchange of views on various matters relating to the solution of India's constitutional problem that is facing us. But so far as we are concerned there can be no compromise on the fundamentals of Pakistan and its sovereignty.

"*We cannot agree to a single constitution-making body, because it will mean our signing our death-warrant and we cannot agree to consider any interim arrangement unless the Pakistan scheme is accepted as a 'sine qua non'.*

"*If any interim arrangement and constitution is forced upon us, we have no other course open ot us, but to resist it in every way possible. I am sure I say this on behalf of all of you that we are prepared to sacrifice anything and everything but we shall not submit to any scheme of Government prepared without our consent. And if the British go to that length they will be guilty of the grossest breach of faith and the solemn assurances that they gave us when they wanted our blood and money in the midst of war by their declaration of August 1940. It will be the last straw on the camel's back and we shall bear it with courage and determination and resist it by all means if they betray us. God is with us because our cause is righteous and our demand is just to both Hindus and Muslims inhabiting this great subcontinent so we have nothing to fear. Let us march forward with complete unity amongst ourselves as disciplined soldiers of Pakistan.*

"Gentlemen, I am sure that you are full of joy and happiness at the great victory that we have achieved in the elections. You have shown to the world that we are a united nation and that we mean business. Now the only thing I can say is this: I do not think there is any power or any authority that can prevent us from achieving our cherished goal of Pakistan. There is only one condition—unity, and I am confident that we shall march on from victory to victory until we have Pakistan."

amongst Muslims and even Mr. G. M. Syed, Malik Khizr Hyat and Dr. Khan Sahib do not say they are against Pakistan.

"I have heard that Dr. Khan Sahib in reply to a Cabinet Minister's question whether he wanted a United India said, he wanted a united world. In reply to another question whether he would stay in N. W. F. P. if Pakistan was established there he is reported to have replied: 'How can I separate myself from my people'"?

Referring to Maulana Azad's statement that the Muslim League resorted to oppression to get votes during the recent general elections, the Choudary said, "I and every Muslim Leaguer feel surprised about the discovery of Maulana Azad. But we should not be surprised because the statement is not addressed to us. It is a personal explanation which the Maulana has offered to the black-marketeers and profiteers whose money he wasted in the elections.

Addressing the Qaid-e-Azam, Choudary Khaliquzzaman said, "We will lay down our lives for Pakistan. We are awaiting the order."

Sir Ghulam Hussain Hidaytullah said, "We shall not accept anything less than Pakistan. Every man in Sind will resist the imposition of a government unacceptable to Muslims with all possible means."

Sir Mohammad Saadullah, ex-Prime Minister of Assam, declerad, "We, the Muslims of Assam, will not lag behind in the struggle for Pakistan.

"Assam's physical situation is such that it leaves no alternative to us but to join Pakistan".

Syed Raoof Shah, leader of the League Party in the C. P. Assembly, said, "Delhi had been the burial ground of many an empire and we have gathered here to bury the dreams of united India for ever" (cheers)

Nawab Iftikhar Hussain of Mamdot said, "Pakistan is our last demand and we must achieve it.

" We are asked how we will defend Pakistan. I would say that if stalwart soldiers of the Punjab could defend Britain against the Nazi aggression they can also defend their own hearths and homes".

Sir Firoz Khan Noon who delivered a great speech said, " Neither the Hindus nor the British know yet how far we are prepared to go in order to achieve Pakistan. We are on the threshold of a great tragedy.

"The problem of defence is set forth as an argument against Pakistan. I am convinced that it is not the defence of Pakistan which they are afraid of, but the defence of Akhand Hindustan. They want us to remain in Akhand Hindustan because they want to use the army of Pakistan to defend them."

He asked if New Zealand with a population less than two millions and Australia with a population of less than seven millions should be free and defend themselves why should not Pakistan with a population of over 70 millions with material resources be able to defend itself? The majority of the combatant personnel in the Indian armed forces came from the Punjab and the problem of defence and protection rose only in the case of Hindustan, he said.

Similarly it was said, continued Sir Firoz, that Pakistan would be economically weak, but why was Britain now for nearly a year begging at the door of the U.S.A. for a loan?

"If Britain cannot do without the economic help of the U. S. A. why should there not be an Akhand U.S.-Englistan? Instead of trying this 'unity' in their own countries why do Englishmen want to make us the sole recipients of their affection?"

Province, Sind and Baluchistan in the north-west of India, namely Pakistan zones where the Muslims are in a dominant majority, be constituted into a sovereign independent State and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

(2) " That two separate constitution-making bodies be set up by peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions.

(3) " That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on March 23, 1940, at Lahore.

(4) " That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the *sine qua non* for the Muslim League co-operation and participation in the formation of an interm government at the Centre.

" This Convention further emphatically declares that any attempt to impose a constitution on a united India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand will leave the Muslims no alternative but to resist such imposition by all possible means for their survival and national existence."

About 20 speakers, including leaders of the Muslim League Assembly parties in all the Provincial Legislatures and personalities like Malik Sir Firoz Khan Noon, Sardar Shaukat Hyat Khan, Raja Ghazanfar Ali and Begum Shah Nawaz (Punjab M.L.As.); Mr. Abul Hashim (Bengal M.L.A.) and Mr. Abdul Hameed (Assam M.L.A.), spoke on the above resolution.

Mr. H. S. Suhrawardy (now Premier of Bengal) moved the resolution. He said that the historical Convention was deliberating at a momentous period in Indian

history, when Britain on the one hand and the peoples of India on the other were at the parting of ways.

He continued, " Britain wants to hand over power to the Indians and the Cabinet Mission is here to find out suitable machinery for the transfer of power. " The Congress say to the British, 'Give us power. We shall sweep all opposition. We shall suppress the Muslims. We shall bring the Scheduled Castes to the heel and we shall annihilate the Adibasis. Give us the police, your army and arms and we shall reproduce an armageddon in the name of a united India.' " This I call insanity induced by the lust for power", he remarked.

" What next? ", he asked. He said, " We do not intend to start a civil war but we want a land where we can live in peace. We are a nation and we believe we have something to contribute to the civilisation of the world.

" But are the British and the Congress prepared to give us Pakistan peacefully and with grace? If not, then, are the Muslims prepared to fight ?

" I have long pondered over these questions. Let me now honestly declare that every Muslim of Bengal is ready and prepared to lay down his life for Pakistan.

" About the defence of Pakistan, I say, leave us alone, we know how to defend ourselves."

At the end of his speech, Mr. Suhrawardy addressed the League leader and said, " Now I call upon you to test us."

Choudary Khaliquzzaman, leader of the League Party in the U. P. Assembly, said, "Muslims have been striving, ever since 1857, to retain their separate identity and the demand for Pakistan is the consummation of these aspirations.

" This is our last demand. The Cabinet Mission should accept it. The desire for Pakistan is intense

Continuing he said: "Even if we have to die fighting, we shall see that our children will never be slaves of Akhand Hindustan.

"I tell you that if we do not get Pakistan, after 20 or 30 years no Muslim in Akhand Hindustan will dare to give a Muslim name to his son."

" Russia at San Francisco declared that from then onwards, the freedom of the oppressed peoples of Asia was going to be its concern. We are confronted with the problem of defence. Defence against whom? If Hindus give us freedom, they are our friends. If the British give us freedom, they are our friends. If none of them give us freedom, Russia is our friend. I warn them of a great new search of sentiment that is taking place even among the big landlords of the Punjab. Communism is spreading, and as for myself if I have to lose every rupee that I possess—if that is the only way to salvation and freedom for the Mussalmans, I am prepared to lose it."

Turning to the standard of living in the country Sir Firoz said that in Pakistan that standard was much higher than in the East or the Middle East. Attempts were being made to impoverish the Mussalmans.

" Things are so manipulated today that machinery is not allowed to go into Pakistan. As a former member of the Government of India, I know that machinery worth crores of rupees has been imported into India during the war, but not one bit has been allowed to go into Pakistan.

" Unless you have political, economic and religious freedom, you will in 40 years be serfs in worse plight than the Scheduled Castes."

Sir Firoz referred to Mr. Chamberlain's visit to Munich to appease Hitler and said that on his return to England, as he alighted from the plane he waved a

piece of paper containing the Munich Pact and said : "Peace in our time." That peace did not last a year.

"If the British Cabinet Mission, in conspiracy with *banias* leaves India with a "piece of paper" signed between them for peace in this country, that peace will be as short-lived as the one Mr. Chamberlain negotiated with Hitler at Munich.

"With this Hindu mentality, and this *shuddhi* movement, if you fall into this trap and lose political power, you will lose something dearer than life itself— your faith.

"If Britain sells our freedom to gain the trade of Akhand Hindustan, if the British force on us an Akhand Government, the destruction and havoc which Muslims will cause will put to shame the deeds of Halaku Khan and Chengiz Khan and the responsibility for this will be Britain's."

Sir Firoz paid a glowing tribute to Mr. Jinnah and said that if Mr. Jinnah had belonged to any other country then that country would have followed him "101 per cent." He continued : "Here is a man who can give them freedom today, but they will not take it from him because he is a Mussalman."

After the above resolution was passed, Nawabzada Liaquat Ali Khan read out the following Pledge :

"In the name of Allah, the Beneficent, the Merciful, say : My prayer and my sacrifice and my living and dying are all for Allah, the Lord of the worlds".—Al Quran.

"I——, a member of the Muslim League Party of the—— Legislative Assembly/Council do hereby solemnly declare my firm conviction that the safety and security and the salvation and destiny of the Muslim Nation inhabiting the Continent of India lie only in the achievement of Pakistan which is the one equitable, honourable and just solution of the constitutional

problem and which will bring peace, freedom and prosperity to the various nationalities and communities of this great subcontinent.

"I most solemnly affirm that I shall willingly and unflinchingly carry out all the directions and instructions which may be issued by the All-India Muslim League in pursuance of any movement launched by it for the attainment of the cherished national goal of Pakistan, and, believing as I do in the rightness and the justice of my cause, I pledge myself to undergo any danger, trial or sacrifice which may be demanded of me.

" Our Lord bestow on us endurance and keep our steps firm and help us against the disbelieving peoples"—Amin.

Signature...............

All the Muslim members of the various Provincial and the Central Legislatures signed the pledge that they would abide by the decision of the All-India Muslim League and that they would obey the command of the Muslim League whenever any call for action came.

Throughout the three-day session of the Convention there was an atmosphere of grimness — it was a grimness of determination and of awareness of events that might come.

The general attitude was summed up by Mr. Jinnah when he said : " We hope for best but are prepared for the worst ".

CHAPTER IV

TALKS BEGIN

With the dawn of Wednesday, the 3rd April, the British Cabinet Ministers and the Viceroy started discussions with the leaders of the two major political parties of the peoples of India—the Congress and the Muslim League. A Sikh delegation also met the Mission on April 5.

Earlier they granted interviews to the members of the Viceroy's Executive Council, Governors and Premiers of 11 British Provinces, leaders of opposition parties in the Provincial Legislatures and representatives of Indian States.

Later, perhaps not to annoy anybody unnecessarily, they met representatives of the Hindu Mahasabha, the Communist Party of India and pro-Congress Muslims.

The members of the Working Committees of both the Congress and the Muslim League stayed in Delhi and dealt with the situation as it arose out of the Mission's negotiations with the leaders of the two organisations.

Maulana Azad's 'new formula' which appeared in the press on April 17, *i.e.* complete independence; a united India; one federation composed of fully autonomous units which will have residuary powers; two lists of Central subjects, one compulsory, the other optional—did not make any change in the situation as, according to the Muslim League, the Congress President did no more than reiterate the well-known policy of the Congress. Maulana Azad on the other hand, said that the formula had the merits of the Pakistan scheme without its defects.

Nawabzada Liaquat Ali Khan, General Secretary of the Muslim League, issued the following statement in this connection :

" Rashtrapati Abul Kalam Azad has issued a long statement to the press opposing the Muslim demand of Pakistan. There is nothing new in the reasons and arguments that he has advanced. All these and many more were trotted out by the opponents of the Muslim League in the last general elections and after examining the whole question carefully the Muslim nation has given its verdict in favour of Pakistan.

" The Rashtrapati, sitting comfortably in the lap of Hindu capitalism is shedding crocodile tears for the future of the 100 million Indian Muslims lest they succeed in getting an independent sovereign State of their own in the vast subcontinent of India. Thank God, the Muslim nation has reached political manhood and it is not likely to be taken in by such devices. Everybody knows that he is but an echo of his master's voice. No single individual has done greater harm to the cause of the Muslims in India during the last nine years than Rashtrapati Abul Kalam Azad. He has done everything that human ingenuity could think of including the use of Hindu blackmarket money, to create disruption amongst the Mussalmans and destroy their unity and solidarity. This Muslim 'divine' has been used by the Hindu Congress to weaken the Mussalmans in every way possible.

NEW CONGRESS FORMULA

" His latest achievement, as everyone knows, is the imposition of a non-Muslim regime in the Punjab, thereby cheating the Muslim majority of its rightful position in the province. He should realise by now that Mussalmans are not going to be deceived by his sham show of concern for their future. They have, after mature consideration, determined their goal and will

march on fearlessly till they reach their destiny—Pakistan—which they know means their freedom and salvation.

"The Congress Rashtrapati claims that the new Congress formula, whereby provinces are to be given full autonomy and residuary powers, secures all that the Mussalmans hope to get under the Pakistan scheme. No amount of jugglery with words can hide the fact that under the proposed formula there will be a Central Government dominated by the Hindus dealing with subjects such as presumably defence and foreign policy which are the life blood of a nation's freedom.

"The demand for Pakistan today is not based only on the fear of the Hindu majority at the Centre, but it is the urge of a nation to mould its national life in accordance with its own ideals and culture and it cannot be satisfied without having full sovereignty which necessarily implies full control over all departments of State without exception.

"A realist will appreciate that the question today is not why there should be Pakistan, but how it should be established. Those who honestly desire the independence of the country and freedom of both Hindus and Muslims should devote all their time and energy in finding ways and means of establishing Pakistan peacefully. It is the solution of India's problem and the only way in which India can achieve its independence at the earlist."

In the last week of April when the Mission found that they could not bring the two parties together by discussing the issues with them separately, they invited them at a joint conference at Simla.

The Congress accepted the invitation but the League objected to entering into any negotiations in which Maulana Azad would represent the Congress. Thereupon it was announced that Pandit Jawaharlal Nehru would succeed Maulana Azad.

At the Simla Conference which began on May 5, Pandit Jawaharlal Nehru represented the Congress and Mr. M. A. Jinnah the Muslim League. Other participants were Maulana Azad, Sardar Vallabhbhai Patel, Mr. Abdul Ghaffar Khan on behalf of the Congress and Nawab Ismail Khan, Nawabzada Liaquat Ali Khan and Sardar Abdur Rab Nishter on behalf of the Muslim League.

This joint conference too did not yield desirable results and the Mission released to the press their own proposals.

The following is the full text of the statement by the Cabinet Delegation and the Viceroy:

1. On March 15 last just before the despatch of the Cabinet Delegation to India Mr. Attlee, the British Prime Minister, used these words:

"My colleagues are going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision."

"I hope that India and her people may elect to remain within the British Commonwealth. I am certain that they will find great advantages in doing so."

"But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible."

2. Charged in these historic words we—the Cabinet Ministers and the Viceroy—have done our utmost to assist the two main political parties to reach

agreement upon the fundamental issue of the unity or division of India. After prolonged discussions in New Delhi we succeeded in bringing the Congress and the Muslim League together in conference at Simla. There was a full exchange of views and both parties were prepared to make considerable concessions in order to try and reach a settlement but it ultimately proved impossible to close the remainder of the gap between the parties and so no agreement could be concluded. Since no agreement has been reached we feel that it is our duty to put forward what we consider are the best arrangements possible to ensure a speedy setting up of the new constitution. This statement is made with the full approval of His Majesty's Government in the United Kindom.

3. We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India and an interim government may be set up at once to carry on the administration of British India until such time as a new constitution can be brought into being. We have endeavoured to be just to the smaller as well as to the larger sections of the people; and to recommend a solution which will lead to a practicable way of governing the India of the future, and will give a sound basis for defence and a good opportunity for progress in the social, political and economic field.

4. It is not intended in this statement to review the voluminous evidence that has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire outside the supporters of the Muslim League, for the unity of India.

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu majority rule.

This feeling has become so strong and widespread amongest the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, and economic or other interests.

6. We, therefore, examined in the first instance the question of a separate and fully independent sovereign State of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas: one in the north-west consisting of the provinces of the Punjab, Sind, North-West Frontier, and British Baluchistan, the other in the north-east consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a separate State of Pakistan was based, first, upon the right of the Muslim majority to decide their method of government according to their wishes, and secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six provinces enumerated above would be very considerable as the following figures* show :

North-Western Area—	*Muslim*	*Non-Muslim*
Punjab ...	... 16,217,242	12,201,577
N. W. F. Province	... 2,788,797	249,270
Sind ...	... 3,208,325	1,326,683
British Baluchistan	... 438,930	62,701
	22,653,294	13,840,231
	62.07%	37.93%

*All population figures in this statement are from the most recent census taken in 1941.

North-Eastern Area—	*Muslim*	*Non-Muslim*
Bengal	33,005,434	27,301.091
Assam	3,442,479	6,762,254
	36,447,913	34,063,345
	51.69%	48.31%

The Muslim minorities in the remainder of British India number some 20 millions dispersed amongst a total population of 188 million.

These figures show that the setting up of a separate sovereign State of Pakistan on the lines claimed by the Muslim League, would not solve the communal minority problem; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas from Pakistan. This point would particularly affect the position of the Sikhs.

7. We, therefore, considered whether a smaller sovereign Pakistan confined to the Muslim majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (*a*) the whole of the Ambala and Jullundur Divisions in the Punjab; (*b*) the whole of Assam except the district of Sylhet; and (*c*) a large part of Western Bengal, including Calcutta, in which city the Muslims form 23.6 per cent of the population. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces, Bengal and the Punjab each has its own common language and a long history and tradition. Moreover,

any division of the Punjab would be of necessity divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We have, therefore, been forced to the conclusion that neither a larger nor a smaller sovereign State of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative economic and military considerations. The whole of the transportation and postal and telegraph system of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian armed forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are, therefore, unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign States.

12. This decision does not, however, blind us to the very real Muslim apprehensions that their culture

and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which provinces would have full autonomy subject only to a minimum of Central subjects, such as Foreign Affairs, Defence and Communications.

Under this scheme provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some Ministers, who dealt with compulsory subjects, were responsible to the whole of India while other Ministers, who dealt with optional subjects, would be responsible only to those provinces which had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their provinces were not concerned were under discussion.

Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose. This would indeed be no more than the exercise of their autonomous powers in a particular way.

14. Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relation-

ship which has hitherto existed between the rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure and it by no means follows that it will be identical for all the States. We have not, therefore, dealt with the States in the same detail as the provinces of British India in the paragraphs which follow.

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties, and would at the same time be most likely to bring about a stable and practicable form of constitution for All-India.

We recommend that the constitution should take the following basic form :

(1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects : Foreign Affairs, Defence, and Communications ; and should have the powers necessary to raise the finances required for the above subjects.

(2) The Union should have an Executive and a Legislature constituted from British Indian and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

(3) All subjects other than the Union subjects and all residuary powers should vest in the provinces.

(4) The States will retain all subjects and powers other than those ceded to the Union.

(5) Provinces should be free to form groups with executives and legislatures, and each group could determine the provincial subjects to be taken in common.

(6) The constitutions of the Union and of the groups should contain a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

16. It is not our object to lay out the details of a constitution on the above lines, but to set in motion the machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary, however, for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18. In forming any Assembly to decide a new constitutional structure the first problem is to obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise; but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new constitution. The only practicable alternative is to utilise the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however,

two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion to the total population in each province. Thus, Assam with a population of 10 millions has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly, owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the province. Thus the number of seats reserved for Muslims in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent of the provincial population. After a most careful consideration of the various methods by which these inequalities might be corrected, we have come to the conclusion that the fairest and most practicable plan, would be—

(*a*) to allot to each province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage;

(*b*) to divide this provincial allocation of seats between the main communities in each province in proportion to their population;

(*c*) to provide that the representatives allotted to each community in a province shall be elected by the members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognise only three main communities in India: General, Muslim, and Sikh, the "General" community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats

in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities.

19. (*i*) We, therefore, propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislature (General, Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote:

TABLE OF REPRESENTATION

SECTION A

Province	*General*	*Muslim*	*Total*
Madras	45	4	49
Bombay	19	2	21
United Provinces	47	8	55
Bihar	31	5	36
Central Provinces	16	1	17
Orissa	9	0	9
Total	167	20	187

SECTION B

Province	*General*	*Muslim*	*Sikh*	*Total*
Punjab	8	16	4	28
N.W.F.P.	0	3	0	3
Sind	1	3	0	4
Total	9	22	4	35

SECTION C

Province	*General*	*Muslim*	*Total*
Bengal	27	33	60
Assam	7	3	10
Total	34	36	70
Total for British India			292
Maximum for Indian States			93
Total			385

Note.—In order to represent the Chief Commissioners' Provinces there will be added to Section A, the Member representing Delhi in the Central Legislative Assembly, Member representing Ajmer-Merwara in the Central Legislative Assembly and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan.

(*ii*) It is the intention that the States should be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed 93, but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a Negotiating Committee.

(*iii*) The representatives thus chosen shall meet at New Delhi as soon as possible.

(*iv*) A preliminary meeting will be held at which the general order of business will be decided, a Chairman and other officers elected, and an Advisory Committee (see paragraph 20 below) on the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into

the three sections shown under A, B, and C, in the Table of Representation in sub-paragraph (*i*) of this paragraph.

(*v*) These sections shall proceed to settle the Provincial Constitutions for the provinces included in each section, and shall also decide whether any group constitution shall be set up for those provinces and, if so, with what provincial subjects the group should deal. Provinces shall have the power to opt out of the groups in accordance with the provisions of sub-clause (*viii*) below.

(*vi*) The representatives of the sections and the Indian States shall reassemble for the purpose of settling the Union Constitution.

(*vii*) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities.

The Chairman of the Assembly shall decide which (if any), of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(*viii*) As soon as the new constitutional arrangements have come into operation, it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the new legislature of the province after the first general election under the new constitution.

20. The Advisory Committee on the rights of citizens, minorities, and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Fundamental Rights, the clauses for the protection of minorities, and a scheme

for the administration of the tribal and excluded areas, and to advise whether these rights should be incorporated in the Provincial Group, or Union Constitution.

21. His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee. It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

23. While the constitution-making proceeds, the administration of India has to be carried on. We attach the greatest importance therefore to the setting up at once of an interim government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy task of day-to-day administration there is the grave danger of famine to be countered; there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future; and there are important international conferences in which India has to be represented. For all these purposes a government having popular support is necessary. The Viceroy has already started discussions to this end, and hopes soon to form an interim government in which all the portfolios, including that of the War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to

the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

24. To the leaders and people of India who now have the opportunity of complete independence we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new constitution under which they will live. Despite the labours which we have shared with the Indian parties, and the exercise of much patience and goodwill by all, this has not been possible. We therefore now lay before you proposals which, after listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognise with us that at this supreme moment in Indian history statesmanship demands mutual recommendation.

We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian parties have made together for agreement, we must state that in our view there is small hope of peaceful settlement by agreement of the Indian parties alone. The alternative would, therefore, be a grave danger of violence, chaos and even civil war. The result and duration of such a disturbance cannot be foreseen; but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen, and the world as a whole.

We, therefore, lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all

who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But these are matters for your own choice. Whatever that choice may be we look forward with you to your ever increasing prosperity among the great nations of the world, and to a future even more glorious than your past.

These proposals were read out in the House of Commons by the Prime Minister. He remarked that they were the 'best arrangement to ensure speedy setting up of a new constitution.'

Mr. Churchill, leader of the Opposition, rose immediately and describing the document as 'able but melancholy' said:

"I am bound to make clear, however, without delay, what is the position of the official Opposition.

"As the head of the Coalition Government, I and my colleagues of those days are committed to the offer made to the people of India at the time of the Cripps' Mission of 1942, by which we offered Dominion Status as expressed by the Statute of Westminster including the right of secession.

"We offered this to the many peoples of India, subject to certain provisions. The first was that there should be a broad, real and sincere agreement between the main Indian parties, and the second was that in the constitution we should have provision for honourable discharge of the obligations we have contracted in India towards the minorities, who, added together, are themselves a majority, and also for the discharge of those obligations embodied in treaties with the India's States.

"These proposals were made at a moment when the danger of Japanese invasion threatened India in a terrible manner. I personally was induced to agree to them by the all compelling war interest of trying to rally all forces in India to the defence of their soil against Japanese aggression, and all horrors which would have followed therefrom.

"The Cripps Mission failed. The answer which Mr Gandhi gave to the British Government at that time was 'Quit India.' He and the Congress proceeded to raise or encourage a revolt or a widespread disturbance, affecting principally communications, on which the British and Indian forces relied for holding the threatened fronts. These disorders, although seriously fomented, were suppressed with surprising ease and very little loss of life, and the inducement to revolt found no response, outside the political classes, from the great mass of the Indian people. We persevered and presently the tide turned. India was successfully defended and emerged from the second world convulsion in our life-time, protected against external violence by the armies, sea power and diplomacy at the disposal of the British Empire, including the valiant contribution of the Indian forces themselves and the Gurkhas.

"Nevertheless we still persisted in our effort which had been rejected in 1942 and the late Secretary of State for India, Mr. Amery, on June 14 last, when the Government had ceased to be a coalition and was a Conservative Government, used the following words which were quoted by Mr. Eden when the proposal was made to send a Cabinet Mission to India in February.

"These are the words of Mr. Amery: 'The statement makes clear that the offer of March 1942, stands in its entirety. That offer was based on two main principles. The first is that no limit is set to India's freedom to decide for herself her own destiny, whether

as a free member and partner in the British Commonwealth of Nations, or even without it. The second principle is that this can only be achieved under a constitution or constitutions framed by India, to which the main elements of India's national life are the consenting parties.

"By that statement we were and are bound. Now, however, a new situation has arisen. We are confronted with the fact, reiterated in the Prime Minister's statement, that there is no agreement. The main elements of Indian national life are not at the present time consenting parties, to quote the words of Mr. Amery.

"No one will doubt the sincerity and earnestness with which the Cabinet Ministers and the Viceroy have laboured to bring about a solution of the Indian difficulty and worked for a solution with a zeal which would be natural, were it to gain an empire and not to cast it away. But the fact is that they have failed, through no fault of their own, despite all their efforts and devotion and ingenuity, which is a fact which should be an education in Indian matters, not only in this country but throughout the world.

"During these negotiations it has been increasingly clear that the object sought for was not Dominion Status and the subsequent consequence of the right of secession, but direct and immediate independence. I am not sure that result had been realised by the House—it certainly came as a surprise to me.

"The new proposals that we have had seem at first sight to shift the onus of deciding the future constitution of India from Indian parties to the British Government, who have themselves come forward with an elaborate and detailed scheme. In so far as this shifting of the onus may prove to be the case, it certainly seems to have been an unfortunate step, which goes beyond what we understood was the purpose of the Ministers'

mission, the mandate they received, which was defined by the Prime Minister as to set up a machinery for Indians to decide their form of government.

"It will, I hope, however, be common ground that we cannot enforce by British arms a British-made constitution upon Indians against the wishes of any of the main elements in Indian life (cheers).

"There remains the discharge of our obligations to Indian minorities and the States. We must study the documents with long and searching attention in order to see that these duties have been faithfully safeguarded.

"It would seem at first sight that attention should be particularly directed to the position of the Muslim community of nearly 80,000,000, already the most formidable of all races and creeds in the Indian subcontinent, and whose interests and culture are a matter of great consequence to the community as a whole and vital to the peace of India.

"Secondly, we must examine the provision made for the Depressed Classes, or Untouchables as they are called, who number nearly 60,000,000 and for whose status and future repeated assurances have been given and pledges made by many British Governments in ancient and more recent times.

The Indian States

"Finally, there are the relations which the Indian States, which comprise a quarter of the population and one-third of the territory of the Indian subcontinent, are to have to the Crown and to the new Government. At present these relations are defined by solemn treaty, dependent upon the paramountcy of the Crown. Apparently this is to be abolished. In a sentence which was obscure and could be either one thing or the other, they

would be relegated to a kind of no-man's land, and if that is so, it would seem that all foundation for those treaties would be swept away.

"All these matters and many others which will occur to members as they study the White Paper will require several weeks of profound and earnest consideration, and it would certainly not, in my view, be desirable to bring this whole matter to debate in the House with all that a debate in these circumstances may entail—it would not be right to bring it in any precipitate manner.

"We don't even know at the present time what are the legislative steps which would be required either fot the setting up of an interim government or, in the event of an agreement being reached, what legislation would be necessary for the creation of a new constitution or abrogation of the King's title of Emperor of India. We know nothing of that. Therefore I say, in the name of the Opposition, that a new situation has been created, that we are bound to review it in the light of the existing facts, and that we reserve our entire freedom of action as to the future course we should take".

Reactions

Mr. Gandhi was the first person in the country who welcomed the proposals. He said that they contained the seed to convert 'this land of sorrow into one without sorrow and suffering'.

He asked the people to examine the proposals not from a parochial point of view, but from that of the whole country.

It was open, he said, for the Constituent Assembly to abolish the distinction of Muslims and non-Muslims,

which the Mission had felt forced to recognise. The provinces were free to reject the very idea of grouping.

Subject to this interpretation, Mr. Gandhi said that he would tell them that the Mission had brought forth something of which they had every reason to be proud.

The Cabinet Mission's scheme was not an award. The Mission and the Viceroy had tried to bring the parties together, but they could not bring about an agreement. So they had recommended to the country what in their opinion was worthy of acceptance by the Constituent Assembly. It was open to that body to vary them, reject them, or improve upon them.

There was no "take it or leave it" business about their recommendations. If there were restrictions, the Constituent Assembly would not be a sovereign body free to frame a constitution of an independent India. Thus the Mission had suggested certain subjects for the Centre. It was open to the Assembly, to add to them or even reduce them with the majority vote of Muslims and non-Muslims separately.

Subject to the above interpretation, which he believed was right, he would tell them that the Mission had brought forth something of which they had every reason to be proud.

There were some who said that the English were incapable of doing the right thing. He did not agree with them. The Mission and the Viceroy were as God-fearing as they themselves claimed to be. It was beneath their dignity as men to doubt a person before he was proved to be untrue to his word.

Whatever the wrong done to India by the British rule, if the statement of the Mission was genuine, as he

believed it was, it was in discharge of an obligation they had declared the British owed to India, namely, to get off India's back.

Generally, the Mussalmans denounced the proposals saying that they were 'the result of an unholy alliance between the Hindu capitalists and British imperialists' to crush Muslims, but Mr. Jinnah, when approached by the press the same day, declined to say anything as he said he was studying the document.

Mr. Abbas Ali, President of the London Branch of the All-India Muslim League said, "The British Government's announcement is a betrayal of the Muslims of India, and it is a pity that representatives of the British people who profess to fight always for fair-play and justice, should have failed to put the Indian problem into perspective. To say that Pakistan will not solve the Indian problem is to misrepresent facts. Pakistan is not a communal problem but a national demand. Refusal of Pakistan is a challenge to the strength latent in the Muslim nation. The Muslims are prepared to accept that challenge."

London Muslims also held a protest meeting in Trafalger Square on June 2.

Pethick-Lawrence's Broadcast

Lord Pethick-Lawrence, Secretary of State for India, in a broadcast from Delhi on Thursday (May 16) night said.

" Nearly two months ago I, as Secretary of State for India, and my two Cabinet colleagues, Sir Stafford Cripps and Mr. Alexander, were sent out by His Majesty's Government to India to assist the Viceroy in setting up in India the machinery by which Indians can devise their own constitution.

" We were at once confronted with a major obstacle. The two principal parties—the Muslim League who won the great majority of the Muslim seats in the recent elections, and the Congress who won the majority of all the others—were opposed to one another as to the kind of machinery to be set up. The Muslim League claimed that British India should be divided into two completely separate sovereign States, and refused to take part in constitution-making unless this claim was conceded in advance. Congress insisted on one single united India.

" During our stay in India we have tried by every means to secure such an accommodation between the parties as would enable constitution-making to proceed. Recently we were able to bring them together at Simla in a conference with ourselves, but though both sides were prepared to make substantial concessions, it was not found possible to reach complete agreement. We have, therefore, been compelled ourselves to seek for a solution which by securing the main objects of both parties will enable constitution-making machinery to be brought into immediate operation.

" While we recognise the reality of the fear of the Muslim League that in a purely unitary India their community with its own culture and way of life might become submerged in a majority Hindu rule, we do not accept the setting up of a separate Muslim sovereign State as a solution of the communal problem. Pakistan, as the Muslim League would call their State, would not consist solely of Muslims; it would contain a substantial minority of other communities which would average over 40 per cent and in certain wide areas would even constitute a majority, as for instance in the city of Calcutta where the Muslims form less than one-third of the population. Moreover the complete separation of Pakistan from the rest of India would in our view

gravely endanger the defence of the whole country by splitting the army into two and by preventing that defence in depth which is essential in modern war. We, therefore, do not suggest the adoption of this proposal.

"Our own recommendations contemplate a constitution of three tiers, at the top of which would be the Union of India with an executive and legislature empowered to deal with the essential subjects of external affairs, defence and communications and the finance necessary for these services. At the bottom would be the provinces which would have, apart from the subjects I have just named, complete autonomy. But we contemplate further that provinces will wish to unite together in groups to carry out, in common, services covering a wider area than that of a single province, and these groups may have, if they wish legislatures and executives which in that event will be intermediate between those of the provinces and those of the Union.

"On this basis, which makes it possible for the Muslims to secure the advantages of a Pakistan without incurring the dangers inherent in the division of India, we invite Indians of all parties to take part in framing a constitution. The Viceroy will accordingly summon to New Delhi representatives of British India who will be elected by the members of the provincial legislatures in such a way that as nearly as possible for each one million of the population there will be one representative, and that the proportion between the representatives of the main communities will be on the same basis.

"After a preliminary meeting in common, these representatives of the provinces will divide themselves

up into three sections the composition of which is laid down and which, if the provinces ultimately agree, will become the three groups. These sections will decide upon provincial and group matters. Subsequently they will reunite to decide upon the constitution for the Union. After the first elections under the new constitution, provinces will be free to opt out of the group into which they have been provisionally placed. We appreciate that this machinery does not of itself give any effective representation to other than the principal minorities and we are, therefore, providing for a special Committee to be set up, in which the minorities will play a full part. The business of this Committee will be to formulate fundamental and minority rights and to recommend their inclusion in the constitution at the appropriate level.

"So far I have said nothing about the Indian States which comprise a third of the area of India and contain about one-quarter of the whole population. These States at present are each separately governed and have individual relationships with the British Crown. There is general recognition that when British India attains independence the position of these States cannot remain unaffected, and it is anticipated that they will wish to take part in the constitution-making process and be represented in the all-India Union. It does not however lie within our province to decide these matters in advance as they will have to be the subject of negotiation with the States before action can be taken.

"During the making of the constitution, the administration must be carried on and we attach therefore the greatest importance to the setting up at once of an interim government having the support of the major political parties. The Viceroy has already started discussions to this end and he hopes to bring them shortly to a successful issue.

"During the interim period the British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

"The essence of statecraft is to envisage the probable course of future events but no statesmen can be wise enough to frame a constitution which will adequately meet all the requirements of an unknown future. We may be confident, therefore, that the Indians, on whom falls the responsibility of creating the initial constitution, will give it a reasonable flexibility and will make provision for it to be revised and amended as required from time to time.

"In this short talk you will not expect me to go into further details regarding proposals, which you can read in the statement which has been released for publication this evening. But in conclusion I will repeat and emphasise what to me is the fundamental issue. The future of India and how that future is inaugurated are matters of vital importance not only to India herself but to the whole world. If a great new sovereign State can come into being in a spirit of mutual goodwill, both within and without India, that of itself will be an outstanding contribution to world stability.

"The Government and people of Britain are not only willing, they are anxious to play their full part in achieving this result. But the constitution for India has to be framed by Indians and worked by Indians when they have brought it into being. We appreciate to the full the difficulties which confront them in embarking on this task. We have done, and we will continue to do, all that lies in our power to help them to overcome these difficulties. But the responsibility and the opportunity is theirs and in their fulfilment of it we wish them god-speed."

ALEXANDER'S REMARKS

Mr. A. V. Alexander, known as the voiceless member of the British Delegation, was 'cornered' by a pressman on Thursday (May 16) night. He said:

"It has been our ambition throughout to see that this great nation is not torn asunder by civil strife by anything that we might do. Hence it was that we tried our best to bring about a settlement between the parties themselves—and more so an agreement between the major parties—so that the Indian question is solved with minimum possibilities for any mishappenings. We are really sorry that it could not be done so. We hope that this proposal of ours will be to the satisfaction of the majority of the Indian people and lead to a peaceful achievement of Indian freedom."

To an observation by the correspondent that "there should be some bloodshed as it will be humanly impossible for the Mission to satisfy all the parties," Mr. Alexander quickly answered; "Well, it is very easy to avoid it if sense is allowed to play its proper part over temper and passion."

CRIPPS' PRESS CONFERENCE

Sir Stafford Cripps, addressing a press conference on Thursday (May 16) night which was also attended by the other two members of the delegation, said:

"We hope from the bottom of our hearts that the Indian people will accept this statement in the spirit of co-operation in which it has been drawn up, and that within a week or two the process of constitution-making may begin and the interim government may be formed."

Lord Pethick-Lawrence joined Sir Stafford in stressing "the determination of the British people as a whole to do everything in their power to assist you in securing a constitution which will enable your future to be great in the annals of your country and in the history of the world."

"You have heard two broadcasts on the statement," said Sir Stafford, "and you have the document before you. The first thing I want to point out is what the statement does not purport to do. Let me remind you that this is not merely the Mission's statement—that is, the statement of the four signatories—but is the statement of His Majesty's Government in the United Kingdom.

"The statement does not purport to set out a new constitution for India. It is of no use asking us; 'How do you propose to do this or that?' The answer will be we do not propose to do anything as regards decision upon a constitution. That is not for us to decide.

"What we have to do is to lay down one or two broad principles of how the constitution might be constructed and recommend those as foundations to the Indian people. You will notice we use the word 'recommend' with regard to the ultimate constitutional forms with which we deal.

"You may quite fairly ask: 'But why do you recommend anything; why not leave it to the Indians?' The answer is that we are most anxious to get all Indians into some constitution-making machinery as quickly as possible, and the block at present is in this matter.

"We are, therefore, by this means trying to remove the block, so that the constitution-making may start and progress freely and rapidly. We hope very earnestly that that will be the effect.

"Now that it has been finally and absolutely decided that India is to have the complete independence she desires, whether within or without the British Commonwealth, as she chooses, we are anxious that she shall have it as soon as possible, and the soonest is when there is a new constitutional structure decided upon by the Indian people.

"But, of course, we cannot just stand by and wait till that time comes. It is bound to take some time to reach that point of completion of the new constitutional structure.

"So, as you know, the Viceroy, in whose province government-making primarily lies, has already started his talks with a view to the immediate setting up of a representative Indian Government. We hope that, with the other issues out of the way on the basis of our statement, he will be able very rapidly to get that new government—representative of the main parties—set up and in operation.

"This matter of the interim government is of supreme importance because of the enormous tasks facing India at the moment. It is these great tasks, and perhaps the greatest of them is to deal with the food situation, that makes it absolutely essential that we should, between us, arrange a smooth and efficient transition.

"Nothing could be more fatal to the Indian people today—in the face of the dangers of famine—than a breakdown of administration and communications anywhere in India. That is why we stress as we do the vital need for co-operation between all parties and communities, including the British, in this time of transition.

"So much then for the vitally important point of the interim government. Some of you may wonder how soon this means that the British will sever their governmental connection with India. I hope that in any event we shall remain the closest friends when Indian freedom comes.

"Well, we certainly cannot say that. Who can foretell how quickly constitutions can be hammered out? One thing is, however, absolutely certain. The quicker you start the quicker you will end and the

sooner we shall be able to withdraw, handing over the power to the new governments of the Union, provinces and, if it is so decided, of the groups.

"This brings me to what has been decided rather than recommended. It has been decided to make a start with the constitution making right away. This does not mean a decision as to what the constitution shall finally be. That is for decision by the representatives of the Indian people.

"What it does mean is that the deadlock, which has prevented a start on the process of constitution-making, is to be removed once and for all.

"The form in which we propose that the constitution-making body should be assembled is important for this reason. It permits of arriving at constitutions in the recommended form. It goes a little further than that in one respect.

"As we believe and hope that the two parties will come into this constitution making on the basis of our recommendations, it would not be fair to either of them if the fundamental basis which we recommend could be easily departed from.

"So we stipulate that a departure from that basis, which is laid down in paragraph 15 of the statement, should only be made if a majority of both communities agree to it. That, I think, is eminently fair to both parties.

"The question, I am sure, will occur to all of you and that is why we have named the three sections of provinces into which the Assembly will break up to formulate the provincial and group constitutions.

"There was a very good reason for this. First of all, of course, somehow or other those groups had to be formed before they could proceed to their business.

"There were two ways of dealing with that matter. Either let the present provincial governments opt themselves into groups or—after seeing the constitutions produced—let the new governments (after the whole constitution making is complete) opt themselves out, if they wish.

"We have chosen the second alternative for two reasons. Firstly, because it follows the suggestion the Congress put forward as regards the provinces and a single Federation. They suggested that all the provinces should come in at the beginning, but could opt out if they did not like the constitution when they had seen it. We think that this principle should apply to the groups.

"Secondly, the present legislatures are not truly representative of the whole population because of the effect of the Communal Award with its weightages.

"We have tried to get a scheme as near as possible to the full adult suffrage—which would be fairest, but which would take probably two years to work out—and no one believes that we could wait that length of time before starting on constitution making.

"So we discard the present legislatures as decisive for the option and say: 'Let it be exercised when the first new elections have taken place when, no doubt, there will be a much fuller franchise and when, if necessary, the precise issue can be raised at the election. So the three sections will formulate the provincial and group constitutions and, when that is done, they work together with the States representatives to make the Union constitution.' That is the final phase.

"Now a word about the States. The statement in paragraph 14 makes the position quite clear that paramountcy cannot be continued after the new constitution comes into operation; nor can it be handed over to anyone else.

"It is not necessary for me to state—I am sure—that a contract or arrangement of this kind cannot be handed over to a third party without the consent of the States. They will, therefore, become wholly independent, but they have expressed their wish to negotiate their way into the Union. That is a matter we leave to negotiation between the States and the British Indian parties.

"There is one other important provision which I would like to stress, as it is somewhat novel in constitution making. We were met by the difficulty of how we could deal fairly with the smaller minorities, the tribal and the excluded areas.

"In any constitution-making body it would be quite impossible to give them a weightage which would secure for them any effective influence without gravely upsetting the balance between the major parties. To give them a tiny representation would be useless to them. So we decided that minorities would be dealt with really in a double way.

"The major minorities, such as the Hindus in Muslim provinces and the Muslims in Hindu provinces, the Sikhs in the Punjab and the Depressed Classes, who had considerable representation in a number of provinces, would be dealt with by proportional representation in the main construction of the constitution-making body.

"But in order to give these minorities—and particularly the small minorities like the Indian Christians and the Anglo-Indians and also the tribal representatives—a better opportunity of influencing minority provisions, we have made provision for the setting up by the constitution-making body of an influential advisory commission, which will take the initiative in the preparation of the list of fundamental rights, the

minority protection clauses and the proposals for the administration of tribal and excluded areas.

"This commission will make its recommendations to the constitution-making body and will also suggest at which stage or stages in the constitution these provisions should be inserted—that is, whether in the Union, group or provincial constitutions, or in any two or more of them.

"Now that, I think, gives you some picture of the main points with which we have dealt in our statement.

"There is only one other point that I want to stress before leaving the matter with you until tomorrow morning.

"You will realise, I am sure, how terribly important is this moment of decision for the Indian people. We are all agreed that we want a speedy conclusion of these matters. So far we all have not been able to agree upon how it should be brought about. We have done in this statement what we believe to be best after two months of discussion and very hard work and in the light of all we have heard and studied.

"This is our firm opinion and we do not, of course, intend to start all the negotiations over again. We intend to get on with the job on the lines we have laid down. We ask the Indian people to give this statement calm and careful consideration. I believe that the happiness of their future depends upon what they now do.

"In failing their own agreement, they will accept this method that we put forward of getting on with the making of a new constitution for India. We can between us make it a smooth transition and a rapid one, but if the plan is not accepted no one can say how great will be the disturbance, or how acute and long the suffering that will be self-inflicted on the Indian people.

"We are convinced that this statement offers an honourable and peaceful method to all parties and, if they accept it, we will do all that lies in our power to help forward the constitution making so as to arrive at the speediest possible settlement.

"Let no one doubt for one moment our intentions. We have not come to India and stayed here so long and worked so hard except to carry out what has long been the policy of the British Labour Party, and that is to transfer power to the Indian people as quickly, as smoothly and as co-operatively as the difficulties of the process permit.

"We hope from the bottom of our hearts that the Indian people will accept the statement in the spirit of co-operation in which it has been drawn up, and that within a week or two the process of constitution making may begin and the interim government may be formed".

PETHICK-LAWRENCE'S PRESS CONFERENCE

Lord Pethick-Lawrence, occasionally helped by Sir Stafford Cripps, answered numerous questions at a press conference on Friday (May 17) relating to the Cabinet Mission's May 16 statement.

The Secretary of State made it clear that what the Mission and the Viceroy had announced was not an award. "It is a recommendation", he added, "as to certain bases of the constitution, and a decision to summon Indian representatives to make their own constitution, and therefore quite clearly there is no question of enforcing an award. In these circumstances, the question of use of British troops does not arise at all".

The Secretary of State said that the constitution recommended by the Mission could not be modified in favour of one party to the disadvantage of another.

The question of the right of the provinces *vis-a-vis* the proposed Union was one of about 100 questions which Lord Pethick-Lawrence answered.

Asked if the provinces with the right to opt out of the groups will have the right to secede from the Indian Union, say within two years. Lord Pethick-Lawrence replied: "They will not have the right to opt out in a period of two years. What they will have the right to do is to ask for a revision of the constitution at the end of 10 years".

Q.—Supposing Assam, which has a Congress Ministry, decided not to come into Group C with Bengal, which has a Muslim League Ministry, would Assam be allowed to join any other group?

Ans.—The right to opt out comes later for this reason, that the whole picture should be understood before the option is exercised.

Q.—Can a province, if it opts out of one section, go into another section?

Lord Pethick-Lawrence replied that if the right was given to a province to opt into another section and that other section did not want to receive it, a rather awkward situation would arise. The answer to the question was not laid down in the statement but it would be open to the Constituent Assembly to deal with it at the appropriate time.

Q.—If any province does not wish to join the group in which it has been put, can it stay out?

Ans.—The provinces automatically come into the Sections "A", "B" and "C" which are set out in the statement. Initially they are in the particular sections to which they are allocated in the statement and that particular section will decide whether a group shall be formed and what should be the constitution. The

right to opt out of the group formed by that section arises after the constitution has been framed and the first election to the legislature has taken place. It does not arise before that.

Q.—There is a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years. Is there included in the words "call for a reconsideration of the terms of the constitution" any right to have secession considered?

Ans.—If you revise the constitution, quite clearly the whole basis of the constitution can be considered again. Any province can ask for a revision of the constitution. And so far as I can see, when that revision is undertaken, all questions in the constitution are open to rediscussion.

Q.—If the provinces in Section "B", which formed a Muslim majority area, decided to form a group but would not come into the Union, what would be the position?

Ans.—It would be a breach of the condition under which all these people met together for the purpose of making the constitution and, therefore, the constitution-making machinery would break down if it was persisted in. That is contrary to the understanding on which these people came together. If they are coming together on an understanding, presumably honourably accepting the major premise, and if they were to refuse that later on, it will be a breach of the understanding and we do not contemplate such a thing.

Q.—Could the provinces in Section "B" at the end of 10 years decide to be a separate sovereign State?

Ans.—If the constitution is being revised, of course, all proposals for its revision will be open to

discussion. Whether they would be carried through is quite another question.

Q.—Supposing a group decides not to come into the Union Constituent Assembly, what would be the position as far as that group is concerned?

Ans.—This is a purely hypothetical question. You cannot forejudge exactly what would be done in the event of people not co-operating, but there is every intention to proceed with the constitution-making machinery as it is set out in the statement. What will happen if one person or any person or groups of people in some way tried to throw spanners in the works I am not prepared at this stage precisely to say, but the intention is to get on with the job.

Q.—Can the Provincial Assemblies elect people from outside their membership?

Ans.—Yes. That is not excluded under the terms of the statement.

Q.—Does the 10-year period set for revision of the constitution mean that the Union constitution is inviolable for 10 years?

Ans.—What it does mean is that the Constituent Assembly will lay down provisions for the revision of the constitution. This is in accordance with what is taking place in a great many other cases in the world. There must be some provision for revision. Precisely what the conditions of revision are is a matter for the Constituent Assembly to decide. I do not think I can go further into that.

Q.—Will it be open to the Constituent Assembly to endow the Union with all powers of taxation, including customs, income-tax and other taxes?

Lord Pethick-Lawrence replied that the statement left it open to the Constituent Assembly to interpret the words relating to finance, subject to the condition

that any resolution raising a major communal issue should require a majority of the representatives present and voting of each of the two major communities. Subject to that, and subject to alterations in the basic formula, a bare majority in the Constituent Assembly could carry a proposal.

Lord Pethick-Lawrence said that the question of including currency in the Central list could be discussed, if necessary, in the constitution-making body.

Indian States Question

Replying to a number of questions on Indian States, the Secretary of State reiterated the fact that paramountcy would continue in the interim period. He stated that the Mission had already received indications from most of the principal States and representatives of large bodies of other States that they had no desire to impede the progress of India towards self-government and independence and that they wanted to co-operate in it.

As regards the position of the India Office during the interim period, Lord Pethick-Lawrence said that for months now the India Office had been proceeding on the assumption that the time would come when great changes would be made in India and the whole position of the India Office would be altered. Its vast administrative machine would, however, be at the disposal of the new constitution in India.

Q.—If the constitution-making body decides that as a preliminary to proceeding with its work British troops should be withdrawn, will they be withdrawn?

Ans.—I think that is a misunderstanding of the situation. Some one must be responsible for law and order in a country. In the provinces the governments are really responsible for law and order, but the ultimate responsibility rests with the Government of

India. We are anxious to transfer that at the earliest possible moment, but we must transfer it to a properly-constituted government. When that time comes, we will make the transfer.

Q.—What will be the next stage of activity of the Cabinet Delegation?

Ans.—The first thing is to get this plan accepted by the two main communities and I hope that will be carried through as soon as possible.

Q.—What will be the percentage of Muslims in the interim government?

Ans.—The question of the interim government is not for us to decide, it is primarily a question for the Viceroy.

Q.—During the interim period, will the Viceroy's veto be exercised as at present?

Ans.—That is a question for the Viceroy, and he is now negotiating with the parties.

Lord Pethick-Lawrence said that the division into three main communities—General, Muslim and Sikh—had not been made in consultation with any party. "This statement is our own and does not represent necessarily the opinion of anybody in India. But it is put out after we have discussed all these matters with different Indians and it is our attempt to reach the most likely method which will be accepted by the different parties."

Q.—Has Congress agreed to this?

Ans.—We have not put this out on the basis that anybody has agreed to anything. It is our statement and stands on its own feet.

There were a number of questions on Mr. Churchill's speech in the House of Commons.

Q.—Is Mr. Churchill correct in suggesting that the "shifting of the onus of deciding the future constitution from Indians to His Majesty's Government is an unfortunate step going beyond the understood purpose and mandate of the Mission"?

Ans.—There has been no shifting of the onus of deciding the constitution. If we could have arranged by agreement between the parties in India the basis of a constitution on which they could come together in a constitution-making body, nothing would have pleased us better. In default of that, we thought it desirable to make certain recommendations as to the basis on which they could come together and the Viceroy is prepared to summon a constitution-making body on that basis. We believe that is in accord with the wish not only of Indians but the majority of our own people at home.

Q.—What legislative steps will be required for setting up the interim government, the creation of the new constitution and abrogation of the King's title of Emperor of India?

Ans.—So far as the first two are concerned, no legislative steps are necessary at all. So far as the ultimate step is concerned, that is a matter of constitutional law and I cannot answer offhand. So far as I know, speaking without consideration, I am not at all sure that a precise statute will be required for it, but I should not like that to be taken as final. There will naturally have to be a debate in Parliament and some legislative step will have to be taken with the consent of His Majesty the King. But I do not contemplate any difficulty about all that. The present Labour Government is in a considerable working majority in the House of Commons and I do not imagine any serious difficulty in carrying it through.

Q.—Do you agree with Mr. Churchill when he implies that you have laboured not to gain an empire but to cast it away?

Ans.—I can only say that what we are doing today is in accord with the views that have been expressed all through by the really great statesmen in our country and nothing can redound more to the highest traditions of liberty which prevail in my country than if, as a result of our labours, we have in the years to come a sovereign country here in India whose relationship with ours is one of friendliness and equality in the days to come.

WAVELL'S BROADCAST

Lord Wavell, in a broadcast message from Delhi on Friday (May 17) night, said:

"I speak to the people of India at the most critical hour of India's history. The statement of the Cabinet Delegation, containing their recommendations, has now been before you for 24 hours. It is a blue-print for freedom—an outline, of which your representatives have to fill in the details and construct the building.

"You will have studied the statement—most of you—and may perhaps already have formed your opinion on it. If you think that it shows a path to reach the summit at which you have been aiming for so long—the independence of India—I am sure you will be eager to take it.

"If you should have formed the view—I hope you have not—that there is no passage that way, I hope that you will study again the route indicated to you, and see whether the difficulties in the path—and we know they are formidable—cannot be surmounted by skill and patience and boldness.

"I can assure you of this that very much hard work, very much earnest study, very much anxious

thought, and all the goodwill and sincerity at our command have gone to the making of these recommendations. We would much have preferred that the Indian leaders should have themselves reached agreement on the course to be followed and we have done our best to persuade them ; but it has not been found possible, in spite of concessions on both sides, which at one time promised results.

"These proposals put before you are obviously not those that anyone of the parties would have chosen if left to itself, but I do believe that they offer a reasonable and workable basis on which to found India's future constitution. They preserve the essential unity of India, which is threatened by the dispute between the two major communities, and specially they remove the danger of the disruption of that great fellowship, the Indian Army, to which India already owes so much and on whose strength, unity and efficiency her future security will depend.

"They offer to the Muslim community the right to direct their own essential interests, their religion, their education, their culture, their economic and other concerns in their own way and to their own best advantage.

"To another great community, the Sikhs, they preserve the unity of their homeland, the Punjab, in which they have played and can still play so important and influential a part. They provide in the special committee, which forms a feature of the constitution-making machinery, the best chance for the smaller minorities to make their needs known and to secure protection for their interests.

"They seek to arrange a means for the Indian States, great and small, to enter by negotiation into the policy

of a united India. They offer to India the prospect of peace—a peace from party strife, the peace so needed for all the constructive work there is to be done. And they give you the opportunity of complete independence so soon as the Constituent Assembly has completed its labours.

" I would like to emphasise the constructive work to be done. If you can agree to accept the proposals in the statement as a reasonable basis on which to work out your constitution, then we are able at once to concentrate all the best efforts and abilities in India on the short-term problems that are so urgent. You know them well—the immediate danger of famine to be countered, and measures taken to provide more food for everyone in future years; the health of India to be remedied; great schemes of wider education to be initiated; roads to be built and improved; and much else to be done to raise the standard of living of the common man. There are also great schemes in hand to control India's water-supplies, to extend irrigation, to provide power, to prevent floods; there are factories to be built and new industries to be started; while in the outside world India has to take her place in international bodies, in which her representatives have already established a considerable reputation.

"It is, therefore, my earnest desire that in these critical times ahead, in the interim period while the new constitution is being built, the government of India should be in the hands of the ablest of India's leaders, men recognised as such by the Indian people, whom they will trust to further their interests and bring them to their goal.

" As said in the statement, I am charged with the responsibility to form such a government as soon as possible, to direct the affairs of British India in the interim period. There will be no doubt in the minds

of anyone, I hope, how great a step forward this will be on India's road to self-government. It will be a purely Indian government except for its head, the Governor-General; and will include, if I can get the men I want, recognised leaders of the main Indian parties, whose influence, ability and desire to serve India are unquestioned.

"Such a government must have a profound influence and power not only in India, but also in the outside world. Some of the best ability in India, which has hitherto been spent in opposition, can be harnessed to constructive work. These men can be the architects of the new India.

"No constitution and no form of government can work satisfactorily without goodwill; with goodwill and determination to succeed even an apparently illogical arrangement can be made to work. In the complex situation that faces us there are four main parties: the British; the two main parties in British India, Hindus and Muslims; and the Indian States. From all of them very considerable change of their present outlook will be required as a contribution to the general good, if this great experiment is to succeed. To make concession in ideas and principles is a hard thing and not easily palatable. It requires some greatness of mind to recognise the necessity, much greatness of spirit to make the concession. I am sure that this will not be found wanting in India, as I think you will admit that it has not been found wanting in the British people in this offer.

"I wonder whether you realise that this is the greatest and most momentous experiment in Government in the whole history of the world—a new constitution to control the destiny of 400,000,000 people. A grave responsibility indeed on all of us who are privileged to assist in making it.

"Lastly, I must emphasise the seriousness of the choice before you. It is the choice between peaceful construction or the disorder of civil strife, between co-operation or disunity, between ordered progress or confusion. I am sure you will not hesitate in your choice for co-operation.

"May I end with some words which were quoted by one great man to another at a crisis of the late war, and may well be applied to India at this crisis:

"Thou too sail on, O Ship of State,
Sail on, O Union, strong and great;
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate."

C-in-C's Broadcast

Sir Claude Auchinleck, Commander-in-Chief, in a broadcast to the armed forces of India, said :

"As you have heard from His Excellency the Viceroy the British Government have put forward a scheme to enable Indians to make their own constitution and set up an independent Indian Government. As you all know too members of the British Government and the Viceroy have for some time past been discussing with the leaders of the Muslim League and of the Congress. They have been trying to decide what kind of government shall be set up in India. Their object is to make good the promise of the British Government that in future India shall be governed entirely by her own people, free from all control by Britain, and free to remain within the British Commonwealth or to go outside as she likes.

"In spite of every attempt to find a form of government which would be acceptable to the Congress and the Muslim League, no agreement has been reached.

" The Muslim League considers that there must be two independent and separate governments in India, Pakistan for the Muslims and Hindustan for the Hindus. The Congress thinks that India must not be divided and that there should be one Central Government with the provinces controlling their own affairs to the greatest possible extent.

" This, very briefly is the position taken up by the two main political parties.

" It was hoped that between the two points of view some compromise acceptable to both parties might be found. This has, however, not been found possible, although both parties have, for the sake of goodwill, modified their views to a considerable extent.

" The British Government, therefore, having failed to get the two principal political parties to agree, has decided that it is their duty to the people of India to lay down what shall be done in order to give India her independence as soon as possible in an orderly and peaceful manner, so that the mass of the people may be put to the least inconvenience and disturbance.

" In making these arrangements, the British Government has tried to ensure justice and freedom for the smaller as well as for the large sections of the people of India.

" The British Government realises that the Muslims have a real fear that they may be forced to live for always under a Hindu Government and that any new form of government must be such as to make this fear groundless for all time.

" With this in view, the possibility of setting up a completely separate and independent Muslim State of Pakistan has been most carefully considered from every point of view and without any partiality at all.

"As a result of this examination the British Government has been forced to conclude that the setting up of completely independent States not linked together in any way would not result in a settlement of the differences between Hindus and Muslims.

"The setting up of two or more independent governments would also, in their opinion, result in great loss and danger to India in the future.

"They, therefore, cannot agree to divide India into separate States, though they do think that some way must be found for the predominantly Muslim areas to govern themselves if they wish to do so and to live their own lives. This is also recognised by the Hindus and the Congress Party.

"The British Government, therefore, have approved neither the setting up of completely separate States nor the retention of all power at the Centre. They consider that although the different areas should have a large measure of independence if the people desire it, the responsibility for the Army, Navy and Air Force and for the defence of the whole of India in war, must rest with one authority for the whole of India.

"Apart from this, they have accepted the principle that each province or group of provinces may have full powers to manage its own affairs as desired by its own people without interference from the Centre.

"These proposals are meant to ensure that all creeds and classes shall have their say in how they are to be governed and also to prevent any one section of the people being forced to live under the rule of any other section, without being sure that they will have the right to live their lives in their own way without fear or persecution.

" The details of this new system of government for India must be worked out by the people of India themselves. It is not the task of the British Government to do this.

" To carry on the administration of the country while a new system of government is worked out the Viceroy proposes to form an interim government composed of himself and of leaders of Indian political opinion who have the confidence of the people.

" In this temporary government the post of War Member which is at present held by the Commander-in-Chief (that is myself) will be held by a civilian who will be an Indian. I shall continue to be responsible for the command and welfare of the Army, Navy and Air Force but all political matters will be in the hands of the new War Member under whom I shall serve, just as the commanders in Britain serve under civilian Ministers.

" While this temporary government carries on the daily business of governing the country, it is proposed that there should be set up three assemblies composed of representatives of all parties and creeds and classes, and elected by the Provincial Legislatures.

" It will be the task of these three assemblies together with representatives from the Indian States to decide how India will be governed in the future.

" The British Government hopes that in this way peace and security will come to India under the rule of her own leaders and that she will become great and prosperous as she deserves.

" While these discussions and meetings are going on it is the duty of the Navy, Army and Air Force to continue to serve the Government and to carry out its orders.

"As I have said, this temporary government will be an Indian Government composed of members chosen from the leaders of the main political parties in the country who have the full confidence of the people.

"There is no doubt that today there is a danger of strife and disorder in the country. Whether you are in the Army, the Navy or the Air Force, you all know the good that comes from discipline and toleration. You have also learned to live together, Hindu, Muslim, Sikh and Christian, in the service of your country without quarrelling or jealousy.

"You have learned each to respect the other and to work side by side for one object—the good of your country.

"In this you have set an example to all India.

"I trust you, as I have always trusted you to go on setting this example and to do your duty, as you have always done it in war and peace.

"I for my part shall do the same. So long as I am here you may rely on me to safeguard your interest in the future as in the past."

American Press Reaction

These proposals were given prominence in the American press and were described as 'a means to independence'.

The *New York Herald Tribune*, in the course of an editorial, stated, "The British are committed to withdraw, not only from India but also from Egypt. India was the heart and Suez the jugular vein of the nineteenth century British Empire. That the British are deliberately proposing to liquidate that vast colonial enterprise is hardly to be assumed but that they are trying to reorganise it to readjust their relationships with the millions between Malta and Singapore, to place the structure on a less formal but, for that reason, a more substantial basis, seems evident".

JINNAH'S ANALYSIS OF PROPOSALS

In a 2,000-word statement, Mr. M. A. Jinnah, President of the All-India Muslim League, gave out his reactions to the British proposals of May 16.

Mr. Jinnah's statement, as issued by the Orient Press of India, reads as follows:

"I have now before me the statement of the British Cabinet Delegation and His Excellency the Viceroy dated May 15, 1946, issued at Delhi. Before I deal with it, I should like to give a background of the discussion that took place at Simla from May 5 onwards till the conference was declared concluded and its breakdown in the official communique dated May 12, 1946. We met in the conference on May 5 to consider the formula embodied in the letter of the Secretary of State for India, dated April 27, inviting the League representatives. The formula was as follows:

"'A Union government is to deal with the following subjects—foreign affairs, defence and communications. There will be two groups of provinces one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, dealing with all the other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and leave all the residuary powers and sovereign rights.'

"The Muslim League's position was that: Firstly, the zone comprising Bengal and Assam, in the north-east, and the Punjab, the N.W.F.P. Sind and Baluchistan in the north-west of India (Pakistan zones) should be constituted as a sovereign independent State; and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

"Secondly, that a separate constitution-making body be set up by the peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions.

"Thirdly, that minorities in Pakistan and Hindustan be provided with safeguards on the lines of the Lahore resolution.

"Fourthly, that the acceptance of the League demand and its implementation without delay were a *sine qua non* for the League co-operation and participation in the formation of an interim government at the Centre.

"Fifthly, it gave a warning to the British Government against any attempt to impose a federal constitution on a united India basis or forcing any interim arrangement at the Centre, contrary to the League demand; and that Muslim India would resist if any attempt to impose it were made. Besides, such an attempt would be the grossest breach of faith of the declaration of His Majesty's Government made in August 1940, with the approval of the British Parliament and subsequent pronouncements by the Secretary of State for India and other responsible British statesmen from time to time reaffirming the August Declaration.

"We accepted the invitation to attend the Conference without prejudice, without any commitment and without accepting the fundamental principles underlying this short formula of the Mission on the assurance given by the Secretary of State for India in his letter, dated April 29, 1946, wherein he said: 'We have never contemplated that acceptance by the Muslims and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked

the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it.

" The Congress position, in reply to the invitation, was stated in their letter of April 28, 1946, that a strong federal government at the Centre, with present provinces as federating units, be established and they laid down that foreign affairs, defence, currency, customs, tariffs and 'such other subjects as may be found on closer scrutiny to be intimately allied to them,' should be vested in the Central Federal Government. They negatived the idea of grouping of provinces. They also agreed to participate in the conference to discuss the formula of the Cabinet Delegation.

" After days of discussion no appreciable progress was made. Finally, I was asked to give our minimum terms in writing. Consequently, we embodied certain fundamental principles of our terms in writing as an offer to the Congress in the earnest desire for a peaceful and amicable settlement and for the speedy attainment of freedom and independence of the peoples of India. It was communicated to the Congress on May 12, and a copy of it was sent to the Cabinet Mission at the same time.

The following were the terms of the offer :

(1) " The six Muslim provinces (Punjab, N.W.F.P., Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters, except foreign affairs, defence and communications necessary for defence, which may be dealt with by the constitution-making bodies of the two groups of provinces—Muslim provinces (hereinafter named Pakistan Group) and Hindu provinces sitting together.

(2) " There shall be a separate constitution-making body for the six Muslim provinces named above, which will frame constitutions for the group and the provinces in the group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan federation) with residuary sovereign powers vesting in the provinces.

(3) " The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the different communities in proportion to their population in each province of the Pakistan Group.

(4) " After the constitutions of the Pakistan Federal Government and the provinces are finally framed by the constitution-making body, it will be open to any province of the group to decide to opt out of its group, provided the wishes of the people of that province are ascertained by a referendum to opt out or not.

(5) " It must be open to discussion in the joint constitution-making body as to whether the Union will have a legislature or not. The method of providing the Union with finance should also be left for the decision of the joint meeting of the two constitution-making bodies, but in no event shall it be by means of taxation.

(6) " There should be parity of representation between the two groups of provinces in the Union Executive and the Legislature, if any.

(7) No major point in the Union constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body, of the Hindu provinces and the majority of the

members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

(8) "No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

(9) "In group and provincial constitutions fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

(10) "The constitution of the Union shall contain a provision whereby any province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the constitution, and will have the liberty to secede from the Union at any time after an initial period of 10 years.

"The crux of our offer, as it will appear from its text, was *inter alia* that the six Muslim provinces should be grouped together as the Pakistan Group and the remaining as the Hindustan Group and on the basis of two federations we were willing to consider the Union or Confederation strictly confined to three subjects only, namely, foreign affairs, defence and communications necessary for defence which the two sovereign federations would voluntarily delegate to the Confederation. All the remaining subjects and the residue were to remain vested in the two federations and the provinces respectively. This was intended to provide for a transitional period, as after an initial period of 10 years we were free to secede from the Union. But unfortunately this most conciliatory and reasonable offer was in all its fundamentals not accepted by Congress, as will appear from their reply to our offer. On the contrary their initial suggestions were the same as regards the

subjects to be vested in the Centre as they had been before Congress entered the conference and they made one more drastic suggestion for our acceptance that the Centre must also have the power to take remedial action in cases of breakdown of the constitution and in grave public emergencies. This was stated in their reply dated May 12, 1946, which was communicated to us.

" At this stage the conference broke down and we were informed that the British Cabinet Mission would issue their statement which is now before the public.

" To begin with, the statement is cryptic with several lacunae and the operative part of it is comprised of a few short paragraphs, to which I shall refer later.

" I regret that the Mission should have negatived the Muslim demand for the establishment of a complete sovereign State of Pakistan, which we still hold is the only solution of the constitutional problem of India and which alone can secure stable governments and lead to the happiness and welfare not only of the two major communities, but of all the peoples of this subcontinent. It is all the more regrettable that the Mission should have thought fit to advance commonplace and exploded arguments against Pakistan and resorted to special pleadings couched in deplorable language which is calculated to hurt the feelings of Muslim India. It seems that this was done by the Mission simply to appease and placate Congress, because when they came to face the realities, they themselves made the following pronouncement embodied in paragraph 5 of the statement, which says:

'This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims

lest they should find themselves subjected to a perpetual Hindu majority rule.

'This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India, it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion and economic or other interests.'

" And again in paragraph 12:

'This decision does not, however, blind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India in which the Hindus with their greatly superior members must be a dominating element.'

" And now what recommendations have they made perceptibly securing the object in view and in the light of very clear and emphatic conclusions they arrived at in paragraph 12 of this statement?

"I shall now deal with some of the important points in the operative part of the statement:

(1) They have divided Pakistan into two what they call Section B for the North-Western Zone and Section C for the North-Eastern Zone.

(2) "Instead of two constitution-making bodies only one constitution-making body is devised, that for Sections A, B and C.

(3) "They lay down that 'there should be a Union of India, embracing both British-India and the States, which should deal with the following subjects: foreign affairs, defence, and communications; and should have the power necessary to raise the finances required for the above subjects.'

"There is no indication at all that the communications would be restricted to what is necessary for defence. Nor is there any indication as to how this Union will be empowered to raise finances required for these three subjects, while our view was that finances should be raised only by contributions and not by taxation.

(4) "It is laid down that 'the Union should have an Executive and a Legislature constituted from British Indian and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting', while our view was: (*a*) That there should be no Legislature for the Union, but the question should be left to the Constituent Assembly to decide; (*b*) that there should be parity of representation between the Pakistan Group and the Hindustan Group in the Union Executive and Legislature, if any: and (*c*) that no decision, legislative, executive or administrative should be taken by the Union in regard to any matter of a controversial nature, except by a majority of three-fourths. All these three terms of our offer have been omitted from the statement.

"Indeed there is one safeguard for the conduct of business in the Union Legislature that any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

"Even this is vague and ineffective. To begin with, who will decide and how as to what is a major communal issue and as to what is a minor communal issue and what is a purely non-communal issue?

(5) "Our proposal that the Pakistan Group should have a right to secede from the Union after an initial period of 10 years, although Congress had no serious objection to it, has been omitted and now we are only limited to a restriction of terms of the Union constitution after an initial period of 10 years.

(6) "Coming to the constitution-making machinery, here again a representative of British Baluchistan is included in Section B, but how he will be elected is not indicated.

(7) "With regard to the constitution-making body for the purpose of framing the proposed Union constitution, it will have an overwhelming Hindu majority, as in a House of 292 for British India, the Muslim strength will be 79 and if the number allotted to the Indian States, *i.e.*, 93 is taken into account, it is quite obvious that the Muslim proportion will be further reduced as the bulk of the States' representatives would be Hindus. This assembly, so constituted, will elect the chairman and other officers and, it seems, also the members of the Advisory Committee referred to in paragraph 20 of the statement by a majority, and the same rule will apply to other normal business. But I note that there is only one saving clause which runs as follows:

"'In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities.

"'The chairman of the Assembly should decide which (if any) of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.'

" It follows, therefore, that it will be the chairman alone who will decide. He will not be bound by the opinion of the Federal Court. Nor need anybody know what that opinion was, as the chairman is merely directed to consult Federal Court.

(8) " With regard to the provinces opting out of their group, it is left to the new legislature of the provinces, after the first general election under the new constitution, to decide instead of a referendum of the people as was suggseted by us.

(9) " As for paragraph 20 which runs as follows :

" The Advisory Committee on the rights of citizens, minorities and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of fundamental rights, the clauses for the protection of minorities, and a scheme for the administration of the tribal and excluded areas. and to advise whether these rights should be incorporated in the provincial group, or Union constitution.

" This raises a very serious question, for, if it is left to the Union Constituent Assembly to decide these matters by a majority vote whether any of the recommendations of the Advisory Committee should be incorporated in the Union constitution, then it will open a door to more subjects being vested in the Union government. This will destroy the basic principles that the Union is to be strictly confined to three subjects.

" These are some of the main points which I have tried to put before the public after studying this important document. I do not wish to anticipate the decision of the Working Committee and the Council of

the All-India Muslim League, which are going to meet shortly at Delhi. They will finally take such decisions as they may think proper after a careful consideration and a dispassionate examination of the statement of the British Cabinet Delegation and the Viceroy.

SIKHS

The Sikhs decided, by a resolution adopted by the working committee of the Sharomani Akali Dal at a meeting held *in camera* at Amritsar, to oppose the proposals contained in the Mission's statement. The resolution called upon the Sikhs to close their ranks and create a united front to offer effective resistance against the imposition of Pakistan upon them as envisaged in the statement.

COMMUNISTS

Mr. P. C. Joshi, General Secretary of the Communist Party of India, said, "The scheme is not a plan for Indian freedom.

"In fact all that the Mission has done is to put the blame on Indian differences and by changing the constitutional form, but not the reality, it has put through the British imperialist plan to preserve India as their greatest colonial base".

HINDU MAHASABHA

Mr. L. B. Bhoptakar, Working President of the All-India Hindu Mahasabha said, "The statement is an epoch-making one. Taken as a whole the proposals should meet the immediate demands of India".

STATES' POSITION

In a memorandum submitted to the British Delegation on behalf of the States, the Chancellor of the

Chamber of Princes explained the States' position in the new set-up.

The memorandum says :

(1) "Prior to the recent statement of the Prime Minister in the House of Commons an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown, or the rights guaranteed by their treaties and engagements, without their consent. It was at the same time stated that the Princes' consent to any changes, which might emerge as a result of negotiations, would not unreasonably be withheld.

" The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for the immediate attainment by India of her full stature. His Majesty's Government have now declared that if the successor government or governments in British India desire independence, no obstacle would be placed in their way.

" The effect of these announcements is that all those concerned with the future of India wish her to attain a position of independence within or without the British Commonwealth. The Delegation have come here to assist in resolving the difficulties which stand in the way of India fulfilling this wish.

(2) " During the interim period, which must elapse before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing, paramountcy will remain in operation. But the British Government could not, and will not, in any circumstances transfer paramountcy to an Indian Government.

(3) " In the meantime the Indian States are in a position to play an important part in the formulation of

the new constitutional structure for India and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, to make their contribution to the framing of the structure and to take their due place in it when it is completed.

" In order to facilitate this they will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the State, they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into constitutional structure.

" It will also strengthen the position of the States during this formulative period of the various governments, which have not already done so, to take active steps to place themselves in close and constant touch with public opinion in their State by means of representative institutions.

(4) " During the interim period it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and financial field. Such negotiations, which will be necessary whether the States desire to participate in the new Indian constitutional structure or not, will occupy a considerable period of time.

" Since some of these negotiations may well be incomplete when the new structure comes into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the successor government or governments that for a period of time the then existing arrangements as to these matters of

common concern should continue until the new agreements are completed.

"In this matter the British Government and the Crown Representative will lend such assistance as they can, should it be so desired.

(5) "When a new, fully self-governing or independent government or Governments come into being in British India, His Majesty's Government's influence with these governments will not be such as to enable them to carry out the obligations of paramountcy.

"Moreover, they cannot contemplate that British troops would be retained in India for this purpose. Thus, as a logical sequence and in view of the desire expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of paramountcy.

"This means that the rights of the States, which flow from their relationship to the Crown, will no longer exist and that all the rights surrendered by the States to the Paramount Power will return to the States. Political arrangements between the States, on the one side, and the British Crown and British India, on the other, will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the successor government or governments in British India, or, failing this, entering into particular political arrangements with it or them."

CHAPTER V

MISSION-CONGRESS-LEAGUE CORRESPONDENCE

Two days after the British proposals were made known to the world, the Cabinet Mission released to the press the following correspondence and documents that passed between them and the Viceroy, and representatives of the Congress and the Muslim League:

(Other letters which were released later by parties have also been included in this chapter.)

1.—Letter from Lord Pethick-Lawrence to Maulana Abul Kalam Azad and Mr. Jinnah, dated 27th April, 1946

The Cabinet Mission and His Excellency the Viceroy have carefully reviewed the opinions expressed to them by the various representatives they have interviewed and have come to the conclusion that they should make one further attempt to obtain agreement between the Muslim League and the Congress.

They realise that it would be useless to ask the two parties to meet unless they were able to place before them a basis of negotiation which could lead to such an agreement.

I am, therefore, asked to invite the Muslim League to send four negotiators to meet the Cabinet Mission and the Viceroy together with a similar number from the Congress Working Committee with a view to discussing the possibility of agreement upon a scheme based upon the following fundamental principles:

The future constitutional structure of British India to be as follows:

A Union Government dealing with the following subjects:

Foreign Affairs, Defence and Communications. There will be two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, dealing with all other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

I would point out that we do not think it either necessary or desirable further to elaborate these principles as all other matters could be dealt with in the course of the negotiations.

If the Muslim League and Congress are prepared to enter into negotiations on this basis, you will perhaps be so good as to let me know the names of the four people appointed to negotiate on their behalf. As soon as I receive these I will let you know the locus of the negotiations which will in all probability be in Simla, where the climate will be more temperate.

2.—Letter from the President of the Congress to Lord Pethick-Lawrence, dated 28th April, 1946

I thank you for your letter of April 27. I have consulted my colleagues of the Congress Working Committee in regard to the suggestion made by you, and they desire me to inform you that they have always been willing to discuss fully any matters concerning the future of India with representatives of the Muslim League or any other organisation. I must point out, however, that the "fundamental principles"

which you mention require amplification and elucidation in order to avoid any misunderstanding.

As you are aware, we have envisaged a Federal Union of autonomous units. Such a Federal Union must of necessity deal with certain essential subjects of which defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right.

Without these functions and powers it would be weak and disjointed and defence and progress in general would suffer. Thus among the common subjects in addition to Foreign Affairs, Defence and Communications, there should be Currency, Customs, Tariffs and such other subjects as may be found on closer scrutiny to be intimately allied to them.

Your reference to two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, is not clear. The only predominantly Muslim provinces are the North-West Frontier Province, Sind and Baluchistan, Bengal and the Punjab have a bare Muslim majority. We consider it wrong to form groups of provinces under the Federal Union and more so on religious or communal basis.

It also appears that you leave no choice to a province in the matter of joining or not joining a group. It is by no means certain that a province as constituted would like to join any particular group. In any event it would be wholly wrong to compel a province to function against its own wish. While we agree to the provinces having full powers in regard to all remaining subjects as well as the residuary powers, we have also stated that it should be open to any province to exercise its option to have more common subjects with the

Federal Union. Any sub-federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.

Regarding the Indian States we should like to make it clear that we consider it essential that they should be parts of the Federal Union in regard to the common subjects mentioned above. The manner of their coming into the Union can be considered fully later.

You have referred to certain "fundamental principles" but there is no mention of the basic issue before us, that is, Indian independence and the consequent withdrawal of the British army from India. It is only on this that we can discuss the futuıe of India, or any interim arrangement.

While we are ready to carry on negotiations with any party as to the future of India, we must state our convictions that reality will be absent from any negotiations whilst an outside ruling power still exists in India.

I have asked three of my colleagues of the Congress Working Committee, namely, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan to accompany me in any negotiations that may take place as a result of your suggestion.

3.—Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 29th April, 1946

I thank you for your letter of the 27th April, which I placed before my Working Committee yesterday morning.

My colleagues and I fully appreciate the further attempt that the Cabinet Mission and His Excellency

the Viceroy are making to bring about an agreement between the Muslim League and the Congress by proposing a meeting of the representatives of the two organisations for the purpose of negotiating an agreement. They, however, desire me to invite your attention to the position taken up by the Muslim League since the passing of the Lahore Resolution in 1940 and, thereafter, successively endorsed by the All-India Muslim League Sessions and again by the Convention of the Muslim League Legislators, as recently as the 9th of April, 1946, as per copy enclosed.

The Working Committee desire to point out that many important matters, both of principle and detail, in your brief letter, require elucidation and clarification, which, in their opinion, can be achieved at the meeting proposed by you.

Therefore, without prejudice or commitment, the Working Committee, in their anxiety to assist in finding an agreed solution of the Indian constitutional problem, have authorised me to nominate three representatives on behalf of the Muslim League to participate in the negotiations.

The following are the four names:

1. Mr. M. A. Jinnah; 2. Nawab Mohammad Ismail Khan; 3. Nawabzada Liaquat Ali Khan and 4. Sardar Abdur Rab Nishtar.

Enclosure to Mr. Jinnah's Letter to Lord Pethick-Lawrence, dated 29th April, 1946

Resolution, passed by the Subjects Committee, to be placed before the All-India Muslim League Legislators' Convention on April 9, 1946.

Whereas, in this vast subcontinent of India a hundred million Muslims are the adherents of a faith which regulates every department of their life (educational, social, economic and political), whose code is not

confined merely to spiritual doctrines and tenets or rituals and ceremonies and which stands in sharp contrast to the exclusive nature of Hindu *dharma* and philosophy which has fostered and maintained for thousands of years a rigid Caste System resulting in the degradation of 60 million human beings to the position of untouchables, creation of unnatural barriers between man and man and superimposition of social and economic inequalities on a large body of the people of this country, and which threatens to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically ;

Whereas, the Hindu Caste System is a direct negation of nationalism, equality, democracy and all the noble ideals that Islam stands for ;

Whereas, different historical backgrounds, traditions, cultures and social and economic orders of the Hindus and the Muslims have made impossible the evolution of a single Indian nation inspired by common aspirations and ideals and whereas after centuries they still remain two distinct major nations ;

Whereas, soon after the introduction by the British of the policy of setting up political institutions in India on the lines of Western democracies based on majority rule which meant that the majority of one nation or society could impose its will on the majority of the other nation or society in spite of their opposition as was amply demonstrated during the two and a half years' regime of Congress Government in the Hindu majority provinces under the Government of India Act, 1935, when the Muslims were subjected to untold harassment and oppression as a result of which they were convinced of the futility and ineffectiveness of the so-called safeguards provided in the constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a

United Indian Federation, if established, the Muslims even in majority provinces would meet with no better fate and their rights and interests could never be adequately protected against the perpetual Hindu majority at the Centre ;

Whereas, the Muslims are convinced that with a view to save Muslim India from the domination of the Hindus and in order to afford them full scope to develop themselves according to their genius, it is necessary to constitute a sovereign independent State comprising Bengal and Assam in the north-east zone and the Punjab, North-West Frontier Province, Sind and Baluchistan in the north-west zone.

This Convention of the Muslim League Legislators of India, Central and Provincial after careful consideration hereby declares that the Muslim Nation will never submit to any constitution for a United India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem :

1. That the zone comprising Bengal and Assam in the north-east and the Punjab, North-West Frontier Province, Sind and Baluchistan in the north-west of India, namely Pakistan zones, where the Muslims are in a dominant majority, be constituted into a sovereign independent State and that an unequivocal understanding be given to implement the establishment of Pakistan without delay ;

2. That two separate constitution-making bodies be set up by peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions ;

3. That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on the 23rd March, 1940, at Lahore;

4. That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the *sine qua non* for the Muslim League co-operation and participation in the formation of an interim government at the Centre.

This Convention further emphatically declares that any attempt to impose a constitution on a United India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand will leave the Muslims no alternative but to resist such an imposition by all possible means for their survival and national existence.

4.—Letter from Lord Pethick-Lawrence to the President of the Congress, dated 29th April, 1946

Thank you for your letter of 28th April. The Cabinet Delegation are very glad to know that the Congress agree to enter the joint discussion with representatives of the Muslim League and ourselves.

We have taken note of the views you have expressed on behalf of the Working Committee of Congress. These appear to deal with matters which can be discussed at the conference, for we have never contemplated that acceptance by the Congress and the Muslim League of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement, and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it.

Assuming that the Muslim League, whose reply we expect to receive in the course of the afternoon, also accept our invitation, we propose that these discussions should be held at Simla, and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Congress representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

5.—Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 29th April, 1946

Thank you for your letter of the 29th April. The Cabinet Delegation are very glad to know that the Muslim League agree to enter the joint discussion with the representatives of the Congress and ourselves. I am glad to say I have received a letter from the President of the Congress to say that they are also willing to participate in the proposed discussions and have nominated Maulana Azad, Pandit Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan as their representatives.

We have taken note of the resolution of the Muslim League to which you draw our attention. We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

We propose that these discussions should be held at Simla and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange

for the Muslim League representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

AGENDA

1 Groups of provinces—

(*a*) Composition.
(*b*) Method of deciding group subjects.
(*c*) Character of group organisation.

2. Union—

(*a*) Union subjects.
(*b*) Character of Union Constitution.
(*c*) Finance.

3. Constitution-making machinery—

(*a*) Composition.
(*b*) Functions.

(*i*) in respect of Union;
(*ii*) in respect of groups;
(*iii*) in respect of provinces.

6.—LETTER FROM THE CONGRESS PRESIDENT TO LORD PETHICK-LAWRENCE, DATED MAY 6, 1946

My colleagues and I followed with care the proceedings of the conference yesterday and tried to understand what our conversations were leading up to. I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some of the assumptions underlying them. While we would like to associate ourselves with every effort to explore ways and means of finding a basis for agreement, we must not deceive ourselves, the Cabinet Mission or the representatives of the Muslim League into the belief that the way the conference has so far proceeded furnishes hope of success.

Our general approach to the questions before us was stated briefly in my letter to you of April 28. We find that this approach has been largely ignored and a contrary method has been followed. We realise that some assumptions have to be made in the early stages as otherwise there can be no progress. But assumptions which ignore or run contrary to fundamental issues are likely to lead to misunderstandings during the later stages.

In my letter of April 28, I stated that the basic issue before us was that of Indian independence and the consequent withdrawal of the British army from India, for there can be no independence so long as there is a foreign army on Indian soil. We stand for the independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fitly discussed and decided by he Constituent Assembly.

At the conference yesterday I referred to this again and we were glad to find that you and your colleagues, as well as the other members of the conference, accepted Indian independence as the basis of our talks. It was stated by you that the Constituent Assembly would finally decide about the nexus or other relationship that might be established between a free India and England. While this is perfectly true, it does not affect the position now, and that is the acceptance of Indian independence now.

If that is so then certain consequences inevitably follow. We felt yesterday that there was no appreciation of these consequences. A Constituent Assembly is not going to decide the question of independence; that question must be and, we take it, has been decided now. That Assembly will represent the will of the free Indian nation and give effect to it. It is not going to be bound by any previous arrangements.

It has to be preceded by a provisional Government which must function, as far as possible, as a government of free India, and which should undertake to make all arrangements for the transitional period.

In our discussions yesterday repeated references were made to "groups" of provinces functioning together, and it was even suggested that such a group would have an executive and legislative machinery. This method of grouping has not so far been discussed by us but still our talks seemed to presume all this.

I should like to make it very clear that we are entirely opposed to any executive or legislative machinery for a group of provinces or units of the Federation. That will mean a sub-federation, if not something more, and we have already told you that we do not accept this. It would result in creating three layers of executive and legislative bodies, an arrangement which will be cumbrous, static and disjointed, leading to continuous friction. We are not aware of any such arrangement in any country.

We are emphatically of opinion that it is not open to the conference to entertain any suggestions for a division of India. If this is to come, it should come through the Constituent Assembly free from any influence of the present governing power.

Another point we wish to make clear is that we do not accept the proposal for parity as between groups in regard to the executive or legislature. We realise that everything possible should be done to remove fears and suspicions from the mind of every group and community. But the way to do this is not by unreal methods which go against the basic principles of democracy on which we hope to build up our constitution.

7.—LETTERS FROM LORD PETHICK-LAWRENCE TO THE PRESIDENTS OF THE MUSLIM LEAGUE AND THE CONGRESS, DATED 8TH MAY, 1946

My colleagues and I have been thinking over the best methods of laying before the conference what in our judgment seems the most likely basis of agreement as shown by the deliberations so far.

We have come to the conclusion that it will be for the convenience of the parties if we commit this to writing and send them confidential copies before the conference meets again.

We hope to be in a position to let you have this in the course of the morning. But as this will give you too short a time to study it adequately before the proposed resumption of the conference at 3 o'clock this afternoon, I feel sure that you will agree that the meeting be postponed until the same hour (3 o'clock) tomorrow afternoon, Thursday, 9th May, and I hope that you will concur in this change of time which we are convinced is in the interests of all parties.

8.—LETTERS FROM THE PRIVATE SECRETARY TO LORD PETHICK-LAWRENCE TO THE PRESIDENTS OF THE CONGRESS AND THE MUSLIM LEAGUE, DATED 8TH MAY, 1946

With reference to the Secretary of State's letter to you this morning the Cabinet Delegation wish me to send to you the enclosed document which is the paper to which the Secretary of State referred. The Delegation propose that this paper should be discussed at the next meeting to be held on Thursday afternoon at 8 p.m. if that is agreeable to the Congress-Muslim League delegates.

Enclosure with Letter of 8th May—Suggested points for agreement between the representatives of the Congress and the Muslim League

1. There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights and having the necessary powers to obtain for itself the finances it requires for these subjects.

2. All the remaining powers shall vest in the provinces.

3. Groups of provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

4. The groups may set up their own executives and legislatures.

5. The Legislature of the Union shall be composed of equal proportions, from the Muslim majority provinces and from the Hindu majority provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The constitutions of the Union and the groups (if any) shall contain a provision whereby any province can by a majority vote of its legislative assembly call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten yearly intervals thereafter.

For the purpose of such reconsideration a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided upon.

8. The constitution-making machinery to arrive at a constitution on the above basis shall be as follows:

A. Representatives shall be elected from each Provincial Assembly in proportion to the strength of the various parties in that Assembly on the basis of one-tenth of their numbers.

B. Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India.

C. The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi.

D. After its preliminary meeting at which the general order of business will be settled it will divide into three sections, one section representing the Hindu majority provinces, one section representing the Muslim majority provinces and one representing the States.

E. The first two sections will then meet separately to decide the provincial constitutions for their group and, if they wish, a group constitution.

F. When these have been settled it will be open to any province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the constitution for the Union on the lines agreed in paragraphs 1—7 above.

H. No major point in the Union constitution which affects the communal issue shall be deemed to be passed by the Assembly unless a majority of both the two communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.

9.—LETTER FROM THE PRESIDENT OF THE MUSLIM LEAGUE TO LORD PETHICK-LAWRENCE, DATED 8TH MAY, 1946

I have now received the letter of your Private Secretary, dated 8th May, 1946, and the enclosed document to which you had referred in your earlier letter of 8th May, 1946. It is proposed by you that this "paper" be discussed at the next meeting of the conference to be held on Thursday afternoon at 3 p.m. if this is agreeable to the Muslim League Delegation.

Your proposal embodied in your letter of 27th April, 1946, runs as follows:

"A Union Government dealing with the following subjects—Foreign Affairs, Defence and Communications. There will be two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, dealing with all other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all residuary sovereign rights."

This matter was to be discussed at Simla and we agreed to attend the conference on Sunday, 5th May, 1946, on the terms of my letter, dated 28th April, 1946.

You were good enough to explain your formula and then after hours of discussion on the 5th and 6th of May, the Congress finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union.

Next, your formula clearly envisaged an agreement precedent between the Congress and the Muslim League with regard to the grouping of Muslim and Hindu provinces and the formation of two Federations of the grouped provinces and it followed that there

must be two constitution-making machineries. It was on that basis that some kind of Union was suggested in your formula confined only to three subjects and our approval was sought in order to put into this skeleton blood and flesh.

This proposal was also categorically turned down by the Congress and the meeting had to be adjourned for the Mission to consider the matter further as to what steps they may take in the matter.

And now the new enclosed document has been sent to us with a view that "this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m." The heading of the paper is "Suggested points for agreement between the representatives of the Congress and the Muslim League." By whom are they suggested, it is not made clear.

We are of the opinion that the new suggested points for agreement are a fundamental departure from the original formula embodied in your letter of 27th April, which was rejected by the Congress.

To mention some of the important points we are now asked to agree that there should be one All-India Union Government in terms of paragraphs 1—7 of this paper, which adds one more subject to be vested in the Union Government, *i.e.* "Fundamental Rights" and it is not made clear whether the Union Government and Legislature will have power or not to obtain for itself the finances by means of taxation.

In the new "suggestions" the question of grouping of provinces is left exactly as the Congress spokesmen desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.

That there should be a single constitution-making body, we can never agree to; nor can we agree to the

method of formation of constitution-making machineries suggested in the paper.

There are many other objectionable features contained in the suggestions which we have not dealt with as we are only dealing with the main points arising out of this paper. In these circumstances, we think, no useful purpose will be served to discuss this paper as it is a complete departure from your original formula, unless after what we have said above you still desire us to discuss it in the conference itself tomorrow.

10.—Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 9th May, 1946

I have to acknowledge your letter of yesterday which I have shown to my colleagues. In it you raise a number of issues to which I propose to reply in order.

1. You claim that Congress "finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union." This statement is not in accord with my recollection of what took place in the conference room. It is true that the Congress representatives expressed their view that the limitation was too narrow and argued further that even so limited it necessarily included certain ancillary matters. Up to a point you recognised that there was some force in the argument because you agreed, as I understood, that some power to obtain the necessary finance must be given. There was no final decision on this matter (or of course on any other).*

2. Next you claim, if I undertsand you aright, that our reference to the formation of groups is at variance with the formula in our invitation. I am afraid I cannot accept this view. It is of course, a slightly amplified

form because it specifies the manner in which the provinces can decide as to joining any particular group. This amplified form is put forward by us as a reasonable compromise between the views of the Muslim League and those originally expressed by Congress against grouping at all.

3. You further take exception to the machinery that we suggest should be set up for making the constitution. I would point out to you, however, that you yourself in explaining how your two constitution-making bodies would work agreed on Tuesday last in the conference that they would have to join together in the end to decide the constitution of the Union and you took no exception to their having a preliminary session in common to decide procedure. What we are proposing is in fact precisely the same thing expressed in different words. I am, therefore, quite at a loss to understand what you have in mind when you use the words " this proposal was also categorically turned down by the Congress."

4. In your next succeeding paragraph you ask who it is that makes the suggestions that are contained in the document I sent you. The answer is the Cabinet Mission and His Excellency the Viceroy who make them in our endeavour to bridge the gap between the viewpoints of the Congress and the Muslim League.

5. You next take exception to our departing from the original formula in my invitation. I would remind you that in accepting my original invitation neither the Muslim League nor the Congress bound itself to accept in full the original formula, and in my reply of April 29 I wrote these words:

" We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms

are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it."

Indeed this is the only sensible attitude because the object of all our discussions is to explore every conceivable possibility of reaching agreement.

6. "Fundamental Rights" were included by us in our suggestions for addition to the list of Union subjects because it seemed to us that it would be of benefit both to the large communities and to the small minorities for them to be put in and accordingly to be worthy of consideration in our conference. As to finance it will of course be quite open to discuss in the conference the precise significance of the inclusion of this word in its context.

7. Your two following paragraphs are mainly a recapitulation of your previous arguments and have been already dealt with above.

From your last paragraph I understand that though you do not consider in the circumstances that any good purpose would be served by the attendance of the Muslim League Delegation at the conference fixed for this afternoon, you are willing to come if we express a desire that you should do so. My colleagues and I wish to obtain the views of both parties on the document submitted and therefore would be glad to see you at the Conference.

11.—Letter from Pandit Jawaharlal Nehru to Lord Pethick-Lawrence, dated May 9, 1946

My colleagues and I have given the most careful consideration to the memorandum sent by you yesterday suggesting various points of agreement. On the 28th April I sent you a letter in which I explained briefly

the Congress viewpoint in regard to certain "fundamental principles" mentioned in your letter of 27th April. After the first day of the conference, on May 6, I wrote to you again to avoid any possible misunderstanding regarding the issues being discussed in the conference.

I now find from your memorandum that some of your suggestions are entirely opposed to our views and to the views repeatedly declared by the Congress. We are thus placed in a difficult position. It has been and is our desire to explore every avenue for a settlement and a change-over in India by consent and for this purpose we are prepared to go far. But there are obvious limits beyond which we cannot go if we are convinced that this would be injurious to the people of India and to India's progress as a free nation.

In my previous letters I have laid stress on the necessity of having a strong and organic Federal Union. I have also stated that we do not approve of sub-federations or grouping of provinces in the manner suggested, and are wholly opposed to parity in executives or legislatures as between wholly unequal groups. We do not wish to come in the way of provinces or other units co-operating together, if they so choose, but this must be entirely optional.

The proposals you have put forward are meant, we presume, to limit the free discretion of the Constituent Assembly. We do not see how this can be done. We are at present concerned with one important aspect of a larger problem. Any decision on this aspect taken now might well conflict with the decisions we, or the Constituent Assembly, might want to take on other aspects. The only reasonable course appears to us is to have a Constituent Assembly with perfect freedom to draw up its constitution, with certain reservations to protect the rights of minorities. Thus we may agree that

any major communal issue must be settled by consent of the parties concerned, or where such consent is not obtained, by arbitration.

From the proposals you have sent us (8 D.E.F.G.) it would appear that two or three separate constitutions might emerge for separate groups, joined together by a flimsy common superstructure left to the mercy of the three disjoined groups.

There is also compulsion in the early stages for a province to join a particular group whether it wants to or not. Thus why should the Frontier Province, which is clearly a Congress province, be compelled to join any group hostile to the Congress ?

We realise that in dealing with human beings, as individuals or groups, many considerations have to be borne in mind besides logic and reason. But logic and reason cannot be ignored altogether, and unreason and injustice are dangerous companions at any time and, more especially, when we are building for the future of hundreds of millions of human beings.

I shall now deal with some of the points in your memorandum and make some suggestions in regard to them.

No. 1.—We note that you have provided for the Union to have necessary powers to obtain for itself the finance it requires for the subjects it deals with. We think it should be clearly stated that the Federal Union must have power to raise revenues in its own right. Further that currency and customs must in any event be included in the Union subjects, as well as such other subjects as on closer scrutiny may be found to be intimately allied to them. One other subject is an essential and inevitable Union subject and that is Planning. Planning can be done effectively at the Centre, though the provinces or units will give effect to it in their respective areas.

The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

Nos. 5 and 6.—We are entirely opposed to the proposed parity both in the Executive and Legislative, as between wholly unequal groups. This is unfair and will lead to trouble. Such a provision contains in itself the seed of conflict and the destruction of free growth. If there is no agreement on this or any similar matter, we are prepared to leave it to arbitration.

No. 7.—We are prepared to accept the suggestion that provision be made for a reconsideration of the constitution after ten years. Indeed the constitution will necessarily provide the machinery for its revision at any time.

The second clause lays down that reconsideration should be done by a body constituted on the same basis as the Constituent Assembly. This present provision is intended to meet an emergency. We expect that the constitution for India will be based on adult suffrage. Ten years hence India is not likely to be satisfied with anything less than adult suffrage to express its mind on all grave issues.

No. 8-A.—We would suggest that the just and proper method of elections, fair to all parties, is the method of proportional representation by single transferable vote. It might be remembered that the present basis of election for the Provincial Assemblies is strongly weighted in favour of the minorities.

The proportion of one-tenth appears to be too small and will limit the numbers of the Constituent Assembly too much. Probably the number would not exceed 200. In the vitally-important tasks the Assembly will have to face, it should have larger numbers. We suggest that at least one-fifth of the total membership of the Provincial Assemblies should be elected for the Constituent Assembly.

No. 8-B.—This clause is vague and requires elucidation. But for the present we are not going into further details.

No. 8-D.E.F.G.—I have already referred to these clauses. We think that both the formation of these groups and the procedure suggested are wrong and undesirable. We do not wish to rule out the formation of the groups if the provinces so desire. But this subject must be left open for decision by the Constituent Assembly. The drafting and settling of the constitution should begin with the federal Union. This should contain common and uniform provisions for the provinces and other units. The provinces may then add to these.

No. 8-H.—In the circumstances existing today we are prepared to accept some such clause. In case of disagreement the matter should be referred to Arbitration.

I have pointed out above some of the obvious defects, as we see them, in the proposals contained in your memorandum. If these are remedied, as suggested by us, we might be in a position to recommend their acceptance by the Congress. But as drafted in the memorandum sent to us, I regret that we are unable to accept them.

On the whole, therefore, if the suggestions are intended to have a binding effect, with all the will in the world to have an agreement with the League, we must repudiate most of them. Let us not run into any evil greater than the one all of us three parties should seek to avoid.

If an agreement honourable to both the parties and favourable to the growth of free and United India cannot be achieved, we would suggest that an interim provisional government responsible to the elected members of the Central Assembly be formed at once

and the matters in dispute concerning the Constituent Assembly between the Congress and the League be referred to an independent tribunal."

After a proposal by Pandit Jawaharlal Nehru that an umpire should be appointed to settle matters of difference between the parties the conference, understanding that there was a likelihood of agreement on an umpire between the parties, was adjourned and the following correspondence passed between the parties.

12.—Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 10th May, 1946

In accordance with our decision yesterday at the conference, my colleagues have given a good deal of thought to the choice of a suitable umpire. We have felt that it would probably be desirable to exclude Englishmen, Hindus, Muslims and Sikhs. The field is thus limited. Nevertheless we have drawn up a considerable list from which a choice can be made. I presume that you have also, in consultation with your executive, prepared a list of possible umpires. Would you like these two lists to be considered by us, that is, by you and me? If so, we can fix up a meeting for the purpose. After we have met, our recommendation can be considered by the eight of us, that is, the four representatives of the Congress and the four representatives of the Muslim League, and a final choice can be made, which we can place before the conference when it meets tomorrow.

13.—Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated May 10, 1946

I received your letter of 10th May at 6 p.m.

At yesterday's meeting between you and me at the Viceregal Lodge, we discussed several points besides

the fixing of an umpire. After a short discussion, we came to the conclusion that we will further examine your proposal made by you at the conference yesterday, with all its implications after your and my consulting our respective colleagues.

I shall be glad to meet you to consider the various aspects of your proposal any time that may suit you tomorrow morning after 10 o'clock.

14.—Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 11th May, 1946

Your letter of May 10th reached me at ten last night.

During the talk we had at Viceregal Lodge you referred to various matters besides the choice of an umpire and I gave you my reactions in regard to them. But I was under the impression that the proposal to have an umpire had been agreed to and our next business was to suggest names. Indeed it was when some such agreement was reached in the conference that we had our talk. My colleagues have proceeded on this basis and prepared a list of suitable names. The conference will expect us to tell them this afternoon the name of the umpire we fix upon, or at any rate to place before them suggestions in this behalf.

The chief implication in having an umpire is to agree to accept his final decision. We agree to this. We suggest that we might start with this and report accordingly to the conference.

As suggested by you, I shall come over to your place of residence at about 10-30 this morning.

15.—Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated May 11, 1946

I am in receipt of your letter of the 11th May.

During the talk we had at the Viceregal Lodge, which lasted for about fifteen or twenty minutes, I pointed out various aspects and implications of your proposal and we had a discussion for a little while, but no agreement was arrived at between you and me on any point except that at your suggestion that you consult your colleagues and I should do likewise we adjourned to meet again the next day to further discuss the matter.

I shall be glad to meet you at 10-30 this morning for further talk.

16.—Memorandum by the President of the Muslim League embodying minimum demands by way of an offer, in accordance with the Conference decision, dated 12th May, 1946

Principles to be agreed to as our offer.

1. The six Muslim-Provinces (Punjab, N.W.F.P. Baluchistan, Sind, Bengal and Assam) shall be grouped and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications necessary for Defence, which may be dealt with by the constitution-making bodies of the two groups of provinces—Muslim provinces (hereinafter named Pakistan Group) and Hindu provinces—sitting together.

2. There shall be a separate constitution-making body for the six Muslim provinces named above, which will frame constitutions for the group and the provinces

in the group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the provinces.

3. The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each province of the Pakistan Group.

4. After the constitutions of the Pakistan Federal Government and the provinces are finally framed by the constitution-making body, it will be open to any province of the group to decide to opt out of its group, provided the wishes of the people of that province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint constitution-making body as to whether the Union will have a Legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two constitution-making bodies but in no event shall it be by means af taxation.

6. There should be parity of representation between the two groups of provinces in the Union Executive and the Legislature, if any.

7. No major point in the Union constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body, of the Hindu provinces and the majority of the members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

9. In group and provincial constitution fundamental rights and safeguards concerning religion, culture and other matters of the different communities will be provided for.

10. The constitution of the Union shall contain a provision whereby any province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the constitution, and will have the liberty to secede from the Union at any time after an initial period of ten years.

These are the principles of our offer for a peaceful and amicable settlement and this offer stands in its entirety and all matters mentioned herein are interdependent.

(Copies of this memorandum were sent to the Mission and the Congress).

17.—Points suggested on behalf of the Congress as a basis for agreement, 12th May, 1946

1. The Constituent Assembly to be formed as follows:

(*i*) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth of the number of members of the Assembly and they may be members of the Assembly or others.

(*ii*) Representatives from the States on the basis of their population in proportion to the representation from British India. How these representatives are to be chosen is to be considered later.

2. The Constituent Assembly shall draw up a constitution for the Federal Union. This shall consist

of an All-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning, as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the powers to raise revenues in its own right. The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

3. All the remaining powers shall vest in the provinces or units.

4. Groups of provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

5. After the Constituent Assembly has decided the constitution for the All-India Federal Union as laid down in paragraph 2 above, the representatives of the provinces may form groups to decide the provincial constitutions for their groups and, if they wish, a group constitution.

6. No major point in the All-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present in Assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

7. In the event of a dispute arising in the process of constitution-making, the specific issue shall be referred to arbitration.

8. The constitution should provide machinery for its revision at any time subject to such checks as may be devised. If so desired, it may be specifically stated that this whole constitution may be reconsidered after ten years.

18.—Note by the Congress on the principles to be agreed upon as suggested on behalf of the Muslim League, dated 12th May, 1946

The approach of the Muslim League is so different from that of the Congress in regard to these matters that it is a little difficult to deal with each point separately without reference to the rest. The picture as envisaged by the Congress is briefly given in a separate note. From consideration of this note and the Muslim League's proposals the difficulties and the possible agreement will become obvious.

The Muslim League's proposals are dealt with below briefly:

(1) We suggest that the proper procedure is for one constitution-making body or Constituent Assembly to meet for the whole of India and later for groups to be formed if so desired by the provinces concerned. The matter should be left to the provinces and if they wish to function as a group they are at liberty to do so and to frame their own constitution for the purpose.

In any event Assam has obviously no place in the group mentioned, and the North-West Frontier Province, as the elections show, is not in favour of this proposal.

(2) We have agreed to residuary powers, apart from the central subjects, vesting in the provinces. They can make such use of them as they like and, as has been stated above, function as a group. What the ultimate nature of such a group may be cannot be determined at this stage and should be left to the representatives of the provinces concerned.

(3) We have suggested that the most suitable method of election would be by single transferable vote. This would give proper representation to the various communities in proportion to their present representation in the legislatures. If the population proportion is taken, we have no particular objection, but this would lead to difficulties in all the provinces where there is weightage in favour of certain communities. The principle approved of would necessarily apply to all the provinces.

(4) There is no necessity for opting out of a province from its group as the previous consent of the provinces is necessary for joining the group.

(5) We consider it essential that the Federal Union should have a Legislature. We also consider it essential that the Union should have power to raise its own revenue.

(6 and 7). We are entirely opposed to parity of representation as between groups of provinces in the Union executive or legislature. We think that the provision to the effect that no major communal issue in the Union constitution shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present and voting in the Constituent Assembly are separately in its favour, is a sufficient and ample safeguard of all minorities. We have suggested something wider and including all communities than has been proposed elsewhere. This may give rise to some difficulties in regard to small communities, but all such difficulties can be got over by reference to arbitration. We are prepared to consider the method of giving effect to this principle so as to make it more feasible.

(8) This proposal is so sweeping in its nature that no government or legislature can function at all. Once we have safeguarded major communal issue other

matters, whether controversial or not, require no safeguard. This will simply mean safeguarding vested interests of all kinds and preventing progress, or indeed any movement in any direction. We, therefore, entirely disapprove of it.

(9) We are entirely agreeable to the inclusion of Fundamental Rights and safeguards concerning religion, culture and like matters in the constitution. We suggest that the proper place for this is the All-India Federal Union constitution. There should be uniformity in regard to these Fundamental Rights all over India.

(10) The constitution of the Union will inevitably contain provisions for its revision. It may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid reference to secession as we do not wish to encourage this idea.

19.—Letter from Maulana Azad to the Secretary of State, dated May 20, 1946

My Committee have carefully considered the statement issued by the Cabinet Delegation on May 16 and they have seen Mr. Gandhi after the interviews he had had with you and Sir Stafford Cripps. There are certain matters about which I have been asked to write to you.

As we understand the statement, it contains certain recommendations and procedure for the election and functioning of the Constituent Assembly. The Assembly itself, when formed, will in my Committee's opinion be a sovereign body for the purpose of drafting constitution unhindered by any external authority as well as for entering into a treaty.

Further, it will be open to the Assembly to vary in any way it likes the recommendations and procedure

suggested by the Cabinet Delegation. The Constituent Assembly being a sovereign body for the purposes of a constitution, its final decisions will automatically take effect.

As you are aware, some recommendations have been made in your statement which are contrary to the Congress stand as taken at the Simla Conference and elsewhere. Naturally, we shall try to get the Assembly to remove what we consider defects in the recommendations. For this purpose we shall endeavour to educate the country and the Constituent Assembly.

There is one matter in which my Committee were pleased to hear Mr. Gandhi say that you were trying to see that European members in the various Provincial Assemblies, particularly Bengal and Assam, would neither offer themselves as candidates nor vote for the election of delegates to the Constituent Assembly.

No provision has been made for the election of a representative from British Baluchistan. So far as we know, there is no elected Assembly or any other kind of Chamber which might select such a representative. One individual may not make much difference in the Constituent Assembly but it would make a difference if such an individual speaks for a whole province which he really does not represent in any way. It is far better not to have representation at all than to have this kind of representation, which will mislead and which may decide the fate of Baluchistan contrary to the wishes of its inhabitants. If any kind of popular representation can be arranged, we would welcome it. My Committee were pleased, therefore, to hear Mr. Gandhi say that you are likely to include Baluchistan within the scope of the Advisory Committee's work.

In your recommendations for the basic form of the constitution (page 3 of the printed draft No. 5—this refers to paragraph 15 of the statement of the Cabinet

Delegation of May 16) you state that provinces should be free to form groups with executives and legislatures and each group could determine the provincial subjects to be taken in common.

Just previous to this you state that all subjects other than Union subjects and all residuary powers should vest in the provinces. Later in the statement, however, on page 5 you state that the provincial representatives to the Constituent Assembly will divide into three sections and "these sections shall proceed to settle the provincial constitutions for the provinces in each section and shall also decide whether any group constitution shall be set up for these provinces."

There appears to us to be a marked discrepancy in these two separate provisions. The basic provision gives full autonomy to a province to do what it likes and subsequently there appears to be a certain compulsion in the matter which clearly infringes that autonomy.

It is true that at a later stage provinces can opt out of any group. In any event it is not clear how a province or its representatives can be compelled to do something which they do not want to do. A Provincial Assembly may give a mandate to its representatives not to enter any group or a particular group or section.

As Sections B and C have been formed, it is obvious that one province will play a dominating role in its section—the Punjab in Section B and Bengal in Section C. It is conceivable that the dominating province may frame a provincial constitution entirely against the wishes of Sind or the North-West Frontier Province or Assam.

It may even conceivably lay down rules for elections and otherwise, thereby nullifying the provision for a province to opt out of a group. Such could never be the intention, as it would be repugnant to the basic principles and policy of the scheme itself.

The question of the Indian States has been left vague. Therefore, I need not say much about it at this stage. But it is clear that State representatives who come into the Constituent Assembly must do so more or less in the same way as the representatives of the provinces. The Constituent Assembly cannot be formed of entirely disparate elements.

I have dealt above with some points arising out of your statement. Possibly some of them can be cleared up by you and the defects removed. The principal point, however, is as stated above—that we look upon this Constituent Assembly as a sovereign body which can decide as it chooses in regard to any matter before it and can give effect to its decision.

The only limitation we recognise is that in regard to certain major communal issues the decision should be by a majority of each of the two major communities. We shall try to approach the public and the members of the Constituent Assembly with our own proposals for removing any defects in the recommendations made by you.

Mr. Gandhi has informed my Committee that you contemplate that British troops will remain in India till after the establishment of a government in accordance with the instrument produced by the Constituent Assembly. My Committee feel that the presence of foreign troops in India will be a negation of India's independence.

India should be considered independent in fact from the moment that a national provisional government is established.

I shall be grateful to have an early reply so that my Committee may come to a decision in regard to your statement.

20.—Letter from the Secretary of State to Maulana Azad, dated May 22, 1946

(The substance of this letter and certain other points were the subject of the delegation's statement of May 25.)

The Cabinet Delegation have considered your letter of May 20 and feel that the best way to answer it is that they should make their general position quite clear to you. Since the Indian leaders after prolonged discussion failed to arrive at an agreement, the delegation have put forward their recommendations as the nearest approach to reconciling the views of the two main parties. The scheme, therefore, stands as a whole and can only succeed if it is accepted and worked in a spirit of compromise and co-operation.

You are aware of the reasons for the grouping of the provinces. This is an essential feature of the scheme which can only be modified by agreement between the two parties.

There are two further points which we think we should mention. First, in your letter you describe the Constituent Assembly as a sovereign body the final decisions of which will automatically take effect. We think the authority and the functions of the Constituent Assembly and the procedure which it is intended to follow are clear from the statements.

Once the Constituent Assembly is formed and working on this basis, there is naturally no intention to interfere with its discretion or to question its decisions.

When the Constituent Assembly has completed its labours, His Majesty's Government will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people, subject only to two provisions which are mentioned in the statement and which are not, we believe, controversial, namely,

adequate provision for the protection of minorities and willingness to conclude a treaty to cover matters arising out of the transfer of power.

Secondly, while His Majesty's Government are most anxious to secure that the interim period should be as short as possible, you will, we are sure, appreciate that, for reasons stated above, independence cannot precede the bringing into operation of a new constitution.

21.—Letter from Maulan Azad, dated May 25, 1946

Dear Lord Wavell,—Your Excellency will remember that the demand of the Congress from the very beginning of the present discussions regarding the interim government has been that there must be a legal and constitutional change in order to give it the status of a truly national government. The Working Committee has felt that this is necessary in the interests of a peaceful settlement of the Indian problem. Without such status, the interim government would not be in a position to infuse in the Indian people a consciousness of freedom which is today essential. Both Lord Pethick-Lawrence and you have, however, pointed out the difficulties in the way of offering such constitutional change, while at the same time assuring us that the interim government would have in fact, if not in law, the status of a truly national government. The Working Committee feels that, after the British Government's declaration that the Constituent Assembly will be the final authority for framing the constitution and any constitution framed by it will be binding, the recognition of Indian independence is imminent.

It is inevitable that the interim government, which is to function during the period of the Constituent Assembly, must reflect this recognition. In my last conversation with you, you stated that it was your

intention to function as a constitutional head of the government and that in practice the interim government would have the same powers as that of a cabinet in the Dominions. This is, however, a matter which is so important that it would not be fair either to you or to the Congress Working Committee to let it rest upon what transpired in informal conversations. Even without any change in the law there could be some formal understanding by which the interim government would in practice function like a Dominion Cabinet.

The question of the responsibility of the interim government to the Central Assembly may also be treated in the same way. The existing law permits an executive independent of the Central Legislature, but a convention could be created by which its tenure of office would depend on its enjoyment of such confidence.

The other details regarding the composition and magnitude of the interim cabinet which came up in my discussions with you would all depend upon the satisfactory solution of the two basic questions enumerated above. If the questions of satus and responsibility of the interim government are satisfactorily solved, I hope we would be able to decide other questions without delay. As I have already written to you, the Working Committee has been adjourned and will be summoned again when occasion demands. I would request you to let me have an indication of your decision and programme, so that the Working Committee may be summoned accordingly. I am leaving for Mussoorie on Monday and would request you to reply to my letter there.

(*Sd.*) ABUL KALAM AZAD.

22.—Letter from the Viceroy to Maulana Azad, dated May 30, 1946

My dear Maulana Sahib,—I have received your letter of May 25 on the interim government. We have discussed this matter on several occasions and I recognise the importance that you and your party attach to a satisfactory definition of the powers of the interim government and appreciate your reasons for asking for such a definition. My difficulty is that the most liberal intentions may be almost unrecognisable when they have to be expressed in a formal document. I am quite clear that I did not state to you that the interim government would have the same powers as a Dominion Cabinet. The whole constitutional position is entirely different. I said that I was sure that His Majesty's Government would treat the new interim government with the same close consultation and consideration as a Dominion Government.

His Majesty's Government have already said that they will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of the country; and I need hardly assure you that it is my intention faithfully to carry out this undertaking.

I am quite clear that the spirit in which the government is worked will be of much greater importance than any formal document and guarantee. I have no doubt that, if you are prepared to trust me we shall be able to co-operate in a manner which will give India a sense of freedom from external control and will prepare for complete freedom as soon as the new constitution is made.

I sincerely hope that the Congress will accept these assurances and will have no further hesitation in joining to co-operate in the immense problems which confront us.

In the matter of time-table you will be aware that the All-India Muslim League Council is meeting on June 5 at which, we understand, decisive conclusions are to be reached. I suggest, therefore, that if you summon your Working Committee to reassemble in Delhi on Friday the seventh it may be possible for final decisions to be made by all parties on all outstanding questions early in the following week.

(*Sd.*) WAVELL.

23.—LETTER FROM THE VICEROY TO MR. JINNAH DATED JUNE 4, 1946. (PERSONAL AND CONFIDENTIAL)

(This letter is published with Mr. Jinnah's agreement.)

You asked me yesterday to give you an assurance about the action that would be taken if one party accepted the scheme in the Cabinet Delegation's statement of May 16 and the other refused.

I can give you on behalf of the Cabinet Delegation my personal assurance that we do not propose to make any discrimination in the treatment of either party and that we shall go ahead with the plan laid down in the statement so far as circumstances permit if either party accepts, but we hope that both will accept.

I should be grateful if you would see that the existence of this assurance does not become public. If it is necessary for you to tell your Working Committee that you have an assurance, I should be grateful if you would explain to them this condition.

24.—LETTER FROM MR. JINNAH TO THE VICEROY, DATED JUNE 12, 1946

I am in receipt of your letter of June 12 (See No. 25)

I have already informed you by my letter dated June 8 (See No. 48) that our decision accepting the scheme

in the statement of the Cabinet Delegation was based on your formula of parity as one of the most important considerations which weighed with the Working Committee and the Council of the Muslim League in finally arriving at their decision.

I understand that the Congress have not yet given their decision. It seems to me that until they decide it is not advisable to discuss how best either personnel or portfolios should be adjusted. I agree with you that important portfolios should be equally distributed between the two major parties and we should get the best possible men for these portfolios.

But I am of the opinion that no use or purpose would be served until the Congress have given their decision with regard to the scheme embodied in the statement of the Cabinet Mission of May 16.

If you wish to discuss anything further I shall be glad to see you alone.

25.—Letter from the Viceroy to Pandit Nehru, dated June 12, 1946

Dear Pandit Nehru,—I am anxious to have an opportunity of consulting you together with Mr. Jinnah as to how best I can fill the various posts in the interim government. Could you come to see me for this purpose at 5 p.m. today?

It is not my intention to discuss any question of principle such as "parity" or otherwise, but to concentrate upon what I know to be our common objective, that is, to get the best possible interim government drawn from the two major parties and some of the minorities and to approach this decision by a consideration of what the portfolios should be and how each one can best be filled.

I am sending a similar letter to Mr. Jinnah.

(*Sd.*) WAVELL.

26.—REPLY FROM PANDIT NEHRU TO THE VICEROY, DATED JUNE 12, 1946

Dear Lord Wavell,—I am sorry for the slight delay in answering your letter of today's date. Your invitation to me to see you today at 5 p.m. in order to confer with you and Mr. Jinnah about the interim government placed me in a somewhat difficult position. I would gladly meet you at any time, but our official spokesman in regard to such matters is naturally our President, Maulana Azad. He can speak and confer authoritatively which I cannot do. It is, therefore, proper that he should be in charge of any authoritative conversations that might take place. But since you have asked me to come, I shall do so. I hope, however, that you will appreciate my position and that I can only talk without authority which vests in our President and the Working Committee.

(*Sd.*) JAWAHARLAL NEHRU.

27.—LETTER FROM MAULANA AZAD TO THE VICEROY, DATED JUNE 13, 1946

Dear Lord Wavell,—Thank you for your letter of June 12, which I have just received, inquiring after my health, I have now more or less recovered.

Pandit Jawaharlal Nehru has reported to my Committee, and me, the gist of the conversations between Your Excellency and him. My Committee regret that they are unable to accept your suggestions for the formation of the provisional national government. These tentative suggestions emphasise the principle of "parity" to which we have been, and are, entirely opposed. In the composition of the cabinet suggested by you there is "parity" between the Hindus, including the Scheduled Castes, and the Muslim League, that is, the number of Caste Hindus is actually less than the nominees of the Muslim League. The position thus is

worse than it was in June, 1945 at Simla where, according to your declaration then, there was to be "parity" between the Caste Hindus and the Muslims, leaving additional seats for the Scheduled Caste Hindus. The Muslim seats then were not reserved for the Muslim League only, but could include non-League Muslims. The present proposal thus puts the Hindus in a very unfair position and at the same time eliminates the non-League Muslims. My Committee are not prepared to accept any such proposal. Indeed as we have stated repeatedly, we are opposed to "parity" in any shape or form.

In addition to this "parity" we are told that there should be a convention requiring that major communal issues should be decided by separate group voting. While we have accepted this principle for long-term arrangements, we did so as an effective substitute for other safeguards. In your present proposal, however, both "parity" and this convention are suggested. This would make the working of the provisional government almost impossible and deadlock a certainty.

As I have often pointed out to you we are strongly of the opinion that the provisional government should consist of 15 members. This is necessary to carry out the administration of the country efficiently, as well as to give adequate representation to the smaller minorities. We are anxious that the various minorities should have scope in such a government. The work before the provisional government is likely to be much heavier and more exacting. In your proposals, communications include railways, transport, posts and telegraph and air. It is difficult for us to conceive how all these can be joined together in one portfolio. We think also that planning is an essential department for Centre. We think, therefore, that the provisional government must consist of 15 members.

The suggested division of portfolios appears to us to be undesirable and unfair.

My Committee would also like to point out that a coalition government, in order to be successful, must have some common outlook and programme for the time being. The manner of approach in forming such a government has been such as to leave this out of consideration and my Committee do not feel any confidence that such a coalition can function successfully.

It was our intention to write to you about certain other matters also, but for reasons known to you our letter has been delayed. I shall write to you about the other matters later. My purpose in writing to you now is to convey to you without any delay our reactions to the tentative proposals that you put forward today.

(*Sd.*) ABUL KALAM AZAD.

28.—LETTER FROM MAULANA AZAD TO THE VICEROY, DATED JUNE 14, 1946

Dear Lord Wavell,—In my letter to you sent yesterday, I promised to send you another letter. I am now doing so.

On May 24, the Congress Working Committee passed a resolution which I conveyed to you. In this resolution we gave our reactions to the statement, dated May 16, which the British Cabinet Delegation and you issued on behalf of the British Government. We pointed out what were, in our opinion, some of the omissions and defects in that statement and we also gave our interpretation of some of its provisions. In a subsequent statement issued by you and the Cabinet Delegation, our viewpoint was not accepted.

You know, and we have repeatedly emphasised this, that our immediate objective has been, and is, the independence of India. We have to judge everything

by this standard. We suggested that even though no legal change might be made at this stage, independence in practice might be recognised. This has not been agreed to.

In your letter dated May 30, addressed to me, you explained what in your view the status and powers of the interim government would be. This too falls short of what we aim at. Yet the friendly tone of your letter and our desire to find some way out led us to accept your assurance in these matters. We came to the conclusion also that, unsatisfactory as were many of the provisions of your statement of May 16, we would try to work them according to our own interpretation and with a view to achieving our objective.

You are, no doubt, aware of the strong feeling of resentment which exists among large sections of the people against some of the proposals in the statement, notably the idea of grouping. The Frontier Province and Assam have expressed themselves with considerable force against any compulsory grouping. The Sikhs have felt hurt and isolated by these proposals and are considerably agitated. Being a minority in the Punjab, they become still more helpless, as far as numbers go, in Section "B". We appreciated all these objections, especially as we ourselves shared them. Nevertheless, we hoped that, according to our interpretation of the clauses relating to grouping which we still hold is the correct interpretation—for any other interpretation would endanger the basic principle of provincial autonomy—we might be able to get over some of the obvious difficulties.

But two insuperable obstacles remained and we had hoped that you would be able to remove them. One of these related to the part that European members of the Provincial Assemblies might play in the election to the Constituent Assembly. We have no objection

to Englishmen or Europeans as such, but we do have a strong objection to persons who are foreigners and non-nationals and who claim to belong to the ruling race participating in, and influencing, the elections to the Constituent Assembly. The Cabinet Delegation's statement lays down clearly that the future constitution of India has to be decided by Indians. The basic principle of the statement of May 16 was the election of a member of the Constituent Assembly to represent one million inhabitants. On this basis, the representatives of 146,000 Muslims in Orissa and 180,000 Hindus and 58,000 Sikhs in the North-West Frontier Province have not been given the right to elect any member to the Constituent Assembly.

The European population of Bengal and Assam numbers only 21,000 but their representatives can return to the Constituent Assembly by their own vote seven out of 34 members, thus appropriating to themselves the right to represent seven millions.

The Cabinet Delegation have informed us that beyond promising to use their persuasive powers they could not hold out any assurance to us that these European members would not exercise the right which, we are advised, they do not possess under the statement of May 16. But if the Delegation hold otherwise, as evidently they do, we cannot contemplate a legal fight for their exclusion at the threshold of the Constituent Assembly. Therefore, a clear announcement is necessary that they will not take part as voters or candidates in the election to the Constituent Assembly. We cannot depend on grace or goodwill where rights are concerned.

Equally important, in our view, is the question of "parity" in the proposed provisional national government. I have already written to you on this subject. This "parity," or by whatever other name it may be

called, has been opposed by us throughout and we consider it a dangerous innovation which, instead of working for harmony, will be a source of continuous conflict and trouble. It may well poison our future as other separatist steps in the past have poisoned our public life. We are told that this is a temporary provision and need not be treated as a precedent, but no such assurance can prevent an evil step from having evil consequences. We are convinced that even the immediate results of any such provision will be harmful.

If the position about the European vote and "parity" remains, my Committee are reluctantly compelled to inform you that they will not be able to assist you in the difficult tasks ahead.

The talk we had with you today has not made any substantial difference to the fundamental position. We have noted that, according to our new suggestions, the proposed woman member might be replaced by a Hindu, thus increasing the number of Hindu members, including Scheduled Caste representatives, to six. We would be sorry not to have a woman member, but apart from this, the new proposal maintains the old Simla (1945) formula of parity between Caste Hindus and Muslims, with this important qualification that now Muslims are supposed to mean members of the Muslim League. We are unable to agree to this proposal and we are still convinced that the provisional government must consist of 15 members and that there should be no kind of parity in their selection.

(*Sd.*) ABUL KALAM AZAD.

29.—LETTER FROM THE VICEROY TO MAULANA AZAD, DATED JUNE 15, 1946

My dear Maulana Sahib,—I have received your letter of June 14. I will reply to it in detail in the course of today.

Meanwhile, I must assume from the last paragraph of your letter that may attempt to negotiate an agreement between the two major parties on the composition of the interim government has failed.

The Cabinet Delegation and I have, therefore, decided to issue tomorrow a statement on the action we propose to take, and we will let you have a copy of this before publication.

(*Sd.*) WAVELL.

30.—LETTER FROM THE VICEROY TO THE CONGRESS PRESIDENT, DATED JUNE 15, 1946

My dear Maulana Sahib,—I have received your letter of June 14. You deal with matters on which we have already had much discussion.

The delegation and I are aware of your objections to the principle of grouping. I would, however, point out that the statement of May 16 does not make grouping compulsory. It leaves the decision to the elected representatives of the provinces concerned sitting together in sections.

The only provision which is made is that the representatives of certain provinces should meet in sections so that they can decide whether or not they wish to form groups. Even when this has been done the individual provinces are still to have the liberty to opt out of the group, if they so decide.

I recognise the difficulty about the Europeans, who, through no fault of their own, find themselves in a difficult position. I still hope that a satisfactory solution of this problem will be found.

Our discussions in regard to the interim government have been on the basis of political parties and not communities. I understand that this is regarded as preferable now, as it was at the first Simla Conference.

In the proposed interim government of myself and 13 others, there will be six Congressmen and five Muslim Leaguers. I do not see how this can be called parity. Nor is there parity between Hindus and Muslims, there being six Hindus to five Muslims.

Even at this last moment I still hope that the Congress will now accept the statement and consent to join the interim government.

(*Sd.*) WAVELL.

31.—LETTER FROM MAULANA AZAD TO THE VICEROY, DATED JUNE 16, 1946

Dear Lord Wavell,—I have received your two letters of June 15. I note what you say about grouping. We abide by our interpretation of it.

As regards Europeans we are clear that even on a legal interpretation of the statement of May 16, apart from other considerations, they have not the right to participate in the elections to the Constituent Assembly. I am glad you expect a satisfactory solution of this problem.

We have endeavoured in our letter and in the course of our talks to state clearly what our position is in regard to any kind of parity. You will remember that parity was mentioned and considered at the first Simla Conference. That parity was exactly the same as is now suggested by you, that is, parity between Caste Hindus and Muslims. Owing to the stress of war and other conditions then existing, we were prepared to accept this only for that occasion. It was not to be used as a precedent. Moreover, this was subject to the inclusion of at least one Nationalist Muslim. Now conditions have entirely changed and we have to consider the question in another context, that of approaching independence and the Constituent Assembly. As we have written to you, in this context and in present circumstances we consider this kind of parity unfair and likely

to lead to difficulties. The whole scheme proposed by you in the statement of May 16 is based on absence of weightage. And yet, in the proposed provisional government, there is this weightage, in addition to other far-reaching communal safeguards.

We have tried our utmost to arrive at a satisfactory settlement and we shall not despair of it. But such a settlement, in order to be enduring, must be based on strong foundations. So far as the statement of May 16 is concerned, our main difficulty, as we wrote to you, was the European vote, then this difficulty also goes.

The second and remaining difficulty relates to the proposals for the provisional government which have to be considered together with the statement. The two cannot be separated. These proposals have thus far been unacceptable to us, but if a satisfactory settlement in regard to them is arrived at, we would be in a position to shoulder the burden.

(*Sd.*) ABUL KALAM AZAD.

32.—LETTER FROM THE VICEROY TO MAULANA AZAD, DATED JUNE 16, 1946

Dear Maulana Sahib,—I send herewith a copy of the statement which as indicated in the letter I sent you yesterday, will be released at 4 p.m. this evening.

As the statement shows, the Cabinet Ministers and I are fully aware of the difficulties that have prevented an agreement on the composition of the interim government. We are unwilling to abandon our hope of a working partnership between the two major parties and representatives of the minorities.

We have, therefore, done our best to arrive at a practicable arrangement taking into consideration the various conflicting claims and the need for obtaining a

government of capable and representative administrators. We hope that the parties will now take their share in the administration of the country on the basis set out in our new statement. We are sure we can rely on you and your Working Committee to look to the wider issues and to the urgent needs of the country as a whole, and to consider this proposal in a spirit of accommodation.

(*Sd.*) WAVELL.

33.—LETTER FROM THE VICEROY TO THE CONGRESS PRESIDENT, DATED JUNE 20, 1946.

Dear Maulana Sahib,—You will, I am sure, appreciate that the members of the Cabinet Mission have a great deal of urgent work awaiting them in England and are not in a position to prolong their stay in this country indefinitely. I would, therefore, ask your Working Committee to let us have a final answer as soon as possible to the proposals made in our statement of June 16.

(*Sd.*) WAVELL.

34.—REPLY FROM THE CONGRESS PRESIDENT TO THE VICEROY, DATED JUNE 21, 1946

Dear Lord Wavell,—I have Your Excellency's letter of June 20.

I appreciate your anxiety to come to an early decision regarding the formation of an interim government and I can assure you that my Working Committee fully share your anxiety. A new difficulty, in addition to the old ones, has, however, been created by the publication in the press of the alleged contents of Mr. Jinnah's letter to you in which he raises objection to the Congress nominations to the interim cabinet. It will be of great assistance to the Working Committee in coming to a decision, if they could have copies of these

alleged letters and your reply thereto, as they deal with vital matters which we have to consider.

(*Sd.*) ABUL KALAM AZAD.

The Viceroy, replying to the Congress President on June 21, gave the text of the questions put to him by Mr. Jinnah and his reply to them.

35.—LETTER FROM THE VICEROY TO THE CONGRESS PRESIDENT, DATED JUNE 22, 1946

My dear Maulana Sahib,—I understand from press reports that there is a strong feeling in the Congress circles that the party should insist on their right to include a Muslim of their own choice among the representatives of the Congress in the interim government.

For reasons, of which you are already aware, it is not possible for the Cabinet Mission or myself to accept this request, but I would draw your attention to paragraph 5 of the statement of June 16, which reads as follows:

"The above composition of the interim government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available coalition government."

In the light of this assurance that no precedent is established we appeal to the Congress not to press their demand, but to take part in the strong interim government which the country so urgently needs.

(*Sd.*) WAVELL.

36.—LETTER FROM THE CONGRESS PRESIDENT TO THE VICEROY, DATED JUNE 24, 1946

Dear Lord Wavell,—I have just received the telephone message sent on your behalf asking me to

communicate immediately the decision of the Working Committee in regard to the proposals for the provisional government. The decision was, in fact, taken yesterday, but we felt that it would be better if we wrote to you fully on all aspects of the proposals made by you and the Cabinet Delegation. The Working Committee have been sitting almost continuously and will be meeting at 2 p.m. again today. After full consideration and deliberation they have been reluctantly obliged to decide against the acceptance of the interim government proposals as framed by you. A detailed and reasoned reply will follow later.

37.—Letter from the Congress President to the Viceroy, dated June 25, 1946

"Ever since the receipt of your statement of June 16, my Committee have been considering it from day to day and have given long and anxious thought to your proposals and to the invitations you have issued to individuals to form the provisional national government. Because of our desire to find some way out of the present most unsatisfactory situation, we have tried our utmost to appreciate your approach and viewpoint.

"In the course of our conversations, we have already pointed out to you our difficulties. Unfortunately these difficulties have been increased by the recent correspondence.

"The Congress, as you are aware, is a national organisation including in its fold the members of all religions and communities in India. For more than half a century, it has laboured for the freedom of India and for equal rights for all Indians. The link that has brought all these various groups and communities together within the fold of the Congress is the passionate desire for national independence, economic advance and social equality.

"It is from this point of view that we have to judge every proposal. We hoped that a provisional national government would be formed which would give effect in practice to this independence. Appreciating some of your difficulties, we did not press for any statutory change introducing independence immediately, but we did expect a *de facto* change in the character of the government making for independence in action.

"The status and powers of the provisional government were thus important. In our view, this was going to be something entirely different from the Viceroy's Executive Council. It was to represent a new outlook, new methods of work, and a new psychological approach by India to both domestic and external problems.

"Your letter, dated May 30, 1946, gave us certain assurances about the status and powers of the provisional government. These did not go far enough, according to our thinking, but we appreciated the friendly tone of the letter and decided to accept the assurances and not to press this particular matter any further.

"The important question of the composition of the provisional government remained. In this connection, we emphasised that we could not accept anything in the nature of 'parity' even as a temporary expedient and pointed out that the provisional government should consist of 15 members to enable the administration of the country to be carried on efficiently and the smaller minorities to be represented in it. Some mention of names was made and on our part suggestions were put before you informally, including the name of a non-League-Muslim.

In your statement of June 16, some of the names suggested came as a surprise to us. Several changes had been made from the provisional list prepared by the

Congress. The manner of preparing your list and presenting it as an accomplished fact seemed to us to indicate a wrong approach to the problem.

"One of the names included had not been previously mentioned at all and was that of a person holding an official position and not known to be associated with any public activity. We have no personal objection to him, but we think that the inclusion of such a name particularly without any previous reference or consultation, was undesirable and indicated a wrong approach to the problem.

"Then again a name from our list was excluded, and in his place another of our colleagues was put in, but as you have said that this can be rectified, I need not say more about it.

"One outstanding feature of this list was the non-inclusion of any Nationalist Muslim. We felt that this was a grave omission. We wanted to suggest the name of a Muslim to take the place of one of the Congress names on the list. We felt that no one could possibly object to our changing the name of one of our own men.

"Indeed when I had drawn your attention to the fact that among the Muslim League nominees was included the name of a person, who had actually lost in the recent elections in the Frontier Province and whose name we felt had been placed there for political reasons, you wrote to me as follows:

"I am afraid that I cannot accept the right of the Congress to object to names put forward by the Muslim League, any more then I would accept similar objections from the other side. The test must be that of ability.

"But before we could make our suggestion, I received your letter of the 22nd June, which surprised

us greatly. You had written this letter on the basis of some press reports. You told us that the Cabinet Mission and you were not prepared to accept a request for the inclusion of a Muslim chosen by the Congress among the representatives of the Congress in the interim government. This seemed to us an extraordinary decision.

"It was in direct opposition to your own statement quoted above. It meant that the Congress could not freely choose even its own nominees. The fact that this was not to be taken as a precedent made hardly any difference. Even a temporary departure from such a vital principle could not be accepted by us at any time or place and in any cricumstances.

"In your letter of the 21st June, you gave certain questions framed by Mr. Jinnah in his letter dated 19th June, and your replies to them. We have not seen Mr. Jinnah's letter.

"In question 3, reference is made to 'representation of the four minorities *viz.*, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees', and it is asked as to 'who will fill in vacancies caused in these groups, and whether in filling up the vacancies the leader of the Muslim League will be consulted and his consent obtained.'

"In your answer you say: 'If any vacancy occurs among the seats at present allotted to representatives of the minorities, I shall naturally consult both the main parties before filling it.'"

Mr. Jinnah has thus included the Scheduled Castes among the minorities and presumably you have agreed to this view. So far as we are concerned, we repudiate this view and consider the Scheduled Castes as integral parts of Hindu society. You also, in your letter of June 15, treated the Scheduled Castes as Hindus.

"You pointed out that in your proposal there was no 'parity' either between Hindus and Muslims or between the Congress and the Muslim League inasmuch as there were to be six Hindus belonging to the Congress, as against five Muslims belonging to the League. One of the six Hindus belonged to the Scheduled Castes.

"We are in any case not agreeable to the leader of a party, which claims to represent a community which is a minority, interfering with the selection of names for either the Scheduled Castes, whose representation you counted as falling within the Congress quota, or with the selection of representatives of the minorities mentioned.

"In question 4, the Scheduled Castes are again referred to as a minority and it is asked whether the proportion of members of the Government community-wise as provided in the proposals will be maintained. Your answer is that the proportion will not be changed without agreement of the two major parties. Here again one communal group, functioning admittedly as such, is given a power to veto changes in other groups with which it has no concern.

"We may desire, if opportunity offers itself, to increase the representation of the Scheduled Castes, or to give representation, when it is possible, to another minority, for example Anglo-Indians. All this would depend on the consent of the Muslim League. We cannot agree to this.

"We may add that your answers restrict the Congress representation to Caste Hindus and make it equal to that of the League.

"Finally you state in answer to question 5, that no decision of a major communal issue could be taken by the interim government if the majority of either of the main parties were opposed to it.

"You further say that you had pointed this out to the Congress President and he had agreed that Congress appreciated this point. In this connection I desire to point out that we had accepted this principle for the long-term arrangement in the Union Legislature and it could possibly be applied to the provisional government if it was responsible to the Legislature and was composed of representatives on the population basis of major communities.

"It could not be applied to the provisional government formed on a different basis altogether. It was pointed out by us in my letter of the 13th June, 1946 that it would make administration impossible and deadlocks a certainty.

"Even in the question as framed by Mr. Jinnah it is stated that 'in view of the substitution of 14 now proposed for the original 12,' no major communal issues should be decided if the majority of the Muslim members are opposed to it.' Thus this question arose after the substitution of 14 for 12, *i.e.*, after your statement of June 16. In this statement, no mention was made of this rule.

"This very important change has been introduced, almost casually and certainly without our consent. This again gives the power of veto or obstruction to the Muslim League in the provisional government.

"We have stated above our objections to your proposals of June 16 as well as to your answers to the questions framed by Mr. Jinnah. These defects would make deadlocks a certainty. In the circumstances, your proposals cannot fulfil the immediate requirements of the situation or further the cause we hold dear.

"My Committee have, therefore, reluctantly come to the conclusion that they are unable to assist you in forming a provisional government as proposed in your statement of June 16, 1946.

"With regard to the proposals made in the statement of May 16, 1946, relating to the formation and functioning of the constitution-making body, the Working Committee of the Congress passed a resolution on the 24th May, 1946, and conversation and correspondence have taken place between Your Excellency and the Cabinet Mission on the one side and myself and some of my colleagues on the other. In these we have pointed out what in our opinion were the defects in the proposals. We also gave our interpretation of some of the provisions of the statement.

"While adhering to our views, we accept your proposals and are prepared to work them with a view to achieve our objective. We would add, however, that the successful working of the Constituent Assembly will largely depend on the formation of a satisfactory provisional government."

38.—Letter from Maulana Azad to the Viceroy, dated June 14, 1946

In the course of our talk today you mentioned that among the Muslim League nominees suggested for the provisional government was one from the North-West Frontier Province who had recently been defeated in the provincial general election. This was said by you confidentially and we shall of course treat it as such.

But I feel I must inform you, to avoid any possibility of misunderstanding, that any such name will be considered objectionable by us. This objection is not personal but we feel that the name is suggested for entirely political reasons and we cannot agree to any such course.

39.—Letter from the Viceroy to Maulana Azad, dated June 15, 1946

This is in answer to your confidential letter of June 14 about one of the Muslim League nominees.

I am afraid that I cannot accept the right of the Congress to object to names put forward by the Muslim League any more than I would accept similar objections from the other side. The test must be that of ability.

40.—Letter from Mr. Jinnah to the Viceroy, dated June 18, 1946

In the course of my interview with you this evening you informed me that the Congress proposed to substitute Dr. Zahir Hussain for one of the Caste Hindus invited by you to join an interim government although you expressed the hope that they would not do so.

I told you that the reaction of Muslim India would be deadly against such a substitution and the Muslim League would never accept the nomination of any Muslim by you other than a Muslim Leaguer.

I placed the matter before my Working Committee and it has unanimously endorsed this view and considers it vital and fundamental.

41.—Letter from Mr. Jinnah to the Viceroy, dated June 21, 1946

I thank you for your letter of June 20 (No. 45).

With regard to paragraph 2 of your letter, I regret I am unable to agree with the view that you take.

As regards your request whether you should send copies of the questions 4 (*a*) and 4 (*b*) in my letter and

paragraphs 4 and 5 of your letter under reply to the President of the Congress, I have no objection if you think it proper to do so.

42.—LETTER FROM THE VICEROY TO MAULANA AZAD, DATED JUNE 27, 1946

I write to acknowledge receipt of your letter of June 25.

The Cabinet Delegation and I very much regret that the Congress Working Committee have not been able to accept the proposals in the statement of June 18 since if they had done so it would have been possible to complete the work to which we and Indian political leaders have devoted ourselves during the last three months.

We are sorry if there was a misunderstanding about the treatment of major communal issues in an interim government.

We certainly thought that you had accepted it as a self-evident proposition—as indeed it is—that in a coalition government it would not be possible to force through issues of this kind in the face of the opposition of either of the main parties.

The delegation and I are, however, glad to learn from the last paragraph of your letter that the Congress Working Committee accept and are prepared to work the proposals for framing a constitution for India which were put forward in the delegation's statement of May 16.

You say that you adhere to the views and interpretation of that statement which were set out in the Congress Working Committee's resolution of May 2, and in correspondence and interviews with ourselves.

At our interview yesterday we drew your attention to paragraph 8 of our statement of May 25. We emphasise that the procedure for dividing into sections can only be altered by a resolution of the Constituent Assembly passed by a majority of both communities under paragraph 19 (*vii*) of the statement of May 16.

We were glad to hear at this interview that it is the intention of the Congress to enter the Constituent Assembly in a constructive spirit.

We also informed you that in view of the inability of the Congress to co-operate in the interim government proposed in our statement of June 16 a situation had arisen in which I shall shortly make a further attempt to form an interim government as representative as possible of the two main parties.

I have, however, decided that as the negotiations have already been protracted and as we have only recently failed to reach agreement, it would be desirable to have a short interval before the matter is taken up again and I have, therefore, decided to form a 'caretaker' government of officials to carry on the administration temporarily.

43.—LETTER FROM THE VICEROY TO MR. JINNAH, DATED JUNE 29, 1946

Thank you for your letter of yesterday.

In regard to your paragraph 3, I refer to the opening sentence of paragraph 5 of my letter of June 20, which reads as follows : "On the points which you desire to make clear in connection with the government to be formed under our statement of June 18, I give you the following reply after consultation with the Cabinet Delegation."

I have underlined the relevant words. It was clear from this sentence that the assurances given applied only to the particular interim government proposed in the statement of June 16.

I have no objection to your publishing your letter of June 28 suggesting postponement of elections to the Constituent Assembly of your letter under reply.

The following was released by the Viceroy.

44.—LETTER FROM MR. JINNAH TO THE VICEROY, DATED JUNE 19, 1946

Dear Lord Wavell,—I am in receipt of your letter of the 16th June, 1946, together with an advance copy of the statement by the Cabinet Delegation and yourself of the same date.

In my interview with you at Simla prior to the announcement of the Cabinet Delegation's proposals, you had informed me that you were going to form the interim government consisting of 12 members on the basis of five Muslim League, five Congress, one Sikh and one Indian Christian or Anglo-Indian. As regards the portfolios, you had indicated that the important ones would be equally divided between the Muslim League and the Congress but details of actual allotment were to be left open for discussion. After the statement of the Cabinet Delegation and yourself, dated the 16th of May, 1946, you again, on the 3rd of June at New Delhi, gave me to understand that the formula for the formation of the interim government disclosed to me at Simla would be followed. On both the occasions I sought your permission to communicate this information to my Working Committee which you kindly gave. Accordingly I gave a full account of the talks I had with you and the decision of the Working Committee in regard to the

acceptance of the long-term proposals was largely influenced by the faith which they reposed in the scheme for the formation of the interim government disclosed by you to me on the two occasions. Further, as I have already pointed out in my letter to you of 8th June, 1946, I made the statement before the Council of the All-India Muslim League that that was the formula, which, I was assured by you, would be the basis on which you would proceed to form your interim government, and, therefore, this formed an integral part of the plan embodied in the statement of the Cabinet Delegation. This was one of the most important considerations which weighed with the Council of the All-India Muslim League also in arriving at their decision, although even then there was a section that was opposed to the plan being accepted.

When the Congress press started the sinister agitation against Congress-League parity, with a veiw to informing you of the Muslim League stand, I wrote to you on the 8th June that "any departure from this formula, directly or indirectly, will lead to serious consequences and will not secure the co-operation of the Muslim League."

Subsequently, in my interview with you on the 13th June you informed me that you wanted to alter the basis and proceed on the formula of five Congress, five Muslim League, and three others, namely, one Sikh, one Scheduled Caste, and one Indian Christian. I told you then that if any change was proposed to be made I would have to place the matter before the Working Committee and may have to call another meeting of the Council of the All-India Muslim League. I also informed you that when the Congress finally agreed to your new formula I would then place it before my Working Committee to take such action as they deemed necessary.

After discussion with the Congress representatives you wrote to me on the 15th June informing me that you had failed to negotiate an agreement on the composition of the interim government on the basis of 5 : 5 : 3 and that the Cabinet Delegation and yourself would issue a statement on the 16th of June on the action that you proposed to take and that you would let me have a copy of it before publication.

Accordingly you sent me a copy of the statement by the Cabinet Delegation and yourself issued on the 16th June with a covering letter of the same date which I placed before my Working Committee, who after careful consideration of the matter have authorised me to state as follows:

(*a*) That the Working Committee are surprised that invitations have been issued to five Muslim Leaguers to join the interim government without calling for a list from the leader of the Muslim League;

(*b*) That your latest proposal on the basis of which you now desire to form your interim government shows that you have abandoned parity between the Congress and the Muslim League, the two major parties, and have substituted parity between the Muslim League and Caste Hindus, and have added a fourth representative of the minorities namely, a Parsee. One of the minority representatives nominated by you, *i.e.* Mr. Jagjivan Ram, is a Congressman and has been selected, it appears, not to give real representation to the Scheduled Castes, but to give an additional seat to the Congress in the interim government;

(*c*) That the modifications which have been made in the original formula for the interim government

have adversely affected the proportion of the Muslims in the interim government as a whole and as against the Congress as a single group;

(*d*) That in view of the serious changes which have, from time to time been made to satisfy the Congress, it is not possible for the Working Committee to arrive at any decision in the matter of the formation of the interim government so long as the Congress does not finally convey its decision on the proposals to you; and

(*e*) That the question of distribution of portfolios should also be finally decided so that there may be no further hitch created by the Congress in this regard and the Working Committee may have a complete picture before them when they meet to consider the proposals.

Further, I shall be grateful if you will please make the following points clear with reference to your letter and statement of the 16th June:

1. Whether the proposals contained in the statement for the setting up of an interim government are now final or whether they are still open to any further change or modification at the instance of any of the parties or persons concerned;

2. Whether the total number of 14 members of the government as proposed in the statement would remain unchanged during the interim period;

3. If any person or persons invited as representatives of the four minorities, *viz.*, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees, is, or are, unable to accept the invitation to join the interim government for personal or other reasons how will the vacancy or vacancies thus

created be filled by the Viceroy; and whether in filling up the vacancy or vacancies the leader of the Muslim League will be consulted and his consent obtained;

4. (*a*) Whether during the interim period for which the coalition government is being set up the proportion of members of the government, community-wise, as provided in the proposals, will be maintained;

(*b*) Whether the present representation given to four minorities, *viz*, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees will be adhered to without any change or modification; and

5. In view of the substitution of 14 now proposed for the original of 12, and the change made in the original formula, whether there will be a provision, in order to safeguard Muslim interests, that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim members are opposed to it.

I trust that you will kindly favour me with your reply as early as possible.

Yours sincerely,
M. A. JINNAH.

45.—LETTER FROM LORD WAVELL TO MR. JINNAH, DATED JUNE 20, 1946

Dear Mr. Jinnah,—I thank you for your letter of the 19th June which I have shown to the Cabinet Mission.

I do not think it is necessary for me to comment on the first part of your letter. I am sure you will appreciate that negotiations designed to secure acceptance by two parties with conflicting interests may not always end on the same basis as that on which they began; and, as you know, I never gave you any guarantee that they would necessarily be concluded on any particular basis.

I note the views of the Muslim League set out in paragraphs (*a*) to (*e*) of your letter.

The intention in the statement of June 16 was that the discussion of portfolios with leaders of the two main parties should follow the acceptance by both parties of the scheme. This intention still holds, since until the names are known, it is difficult to decide on the distribution of portfolios.

On the points which you desire to be made clear in connection with the government to be formed under our statement of June 16, I give you the following reply after consultation with the delegation:

(1) Until I have received acceptance from those invited to take office in the interim government, the names in the statement cannot be regarded as final. But no change in principle will be made in the statement without the consent of the two major parties.

(2) No change in the number of 14 members of the interim government will be made without the agreement of the two major parties.

(3) If any vacancy occurs among the seats at present allotted to representatives of minorities, I shall naturally consult both the main parties before filling it.

(4) (*a*) and (*b*). The proportion of members community-wise will not be changed without the agreement of the two major parties.

(5) No decision on a major communal issue could be taken by the interim government if the majority of either of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.

If you agree, I will send copies of the questions in your letter and of paragraphs 4 and 5 of this letter to the President of the Congress.

Yours sincerely,

WAVELL.

46.—LETTER FROM LORD WAVELL TO MR. JINNAH, DATED JUNE 28, 1946

Dear Mr. Jinnah,—The Cabinet Mission and I feel that there are certain points in your statement released yesterday which it would be wrong to leave unanswered.

You will remember that at an interview which the Cabinet Mission and I had with you on the evening of the 25th June, before the meeting of your Working Committee at which you accepted the proposals in the statement of the 16th June, we explained to you that as the Congress had accepted the statement of the 16th May while refusing to take part in the interim government proposed in the statement of the 16th June, this had produced a situation in which paragraph 8 of the state-

ment of the 16th June took effect. This paragraph stated that if either of the two major parties was unwilling to join in the setting up of a coalition government on the lines laid down in that statement, the Viceroy would proceed with the formation of an interim government which would be as representative as possible of those willing to accept the statement of the 16th May.

We said that since the Congress and the Muslim League had now both accepted the statement of the 16th May, it was the intention to form a coalition government including both those parties as soon as possible. In view, however, of the long negotiations which had already taken place, and since we all had other work to do, we felt that it would be better to have a short interval before proceeding with further negotiations for the formation of an interim government. Thus whatever interpretation you may put on paragraph 8, your Working Committee can have been in no doubt as to the course we proposed to adopt.

I confirmed in writing the same evening what we had told you.

Secondly, the assurances which you quote in your statement related specifically to the particular interim government that would have been set up if both major parties had accepted the statement of the 16th June.

To prevent misunderstanding I propose to publish this letter together with your letter of the 19th June the substance of which has already appeared in the press, and my reply of the 20th June.

Yours sincerely,
WAVELL.

47.—Letter from Lord Wavell to Mr. Jinnah, dated June 28, 1946

I have received your letter of the 28th June and have shown it to the Cabinet Ministers.

We are quite unable to accept your suggestion that we have gone back on our word. As I have said in a letter to you earlier today our course of action was determined by what had been laid down in paragraph 8 of the statement of the 16th June, and we had made it plain to you before your Working Committee meeting on the 25th June that we proposed to follow this course.

The arrangements for the elections to the Constituent Assembly have already been put into operation and we do not propose to postpone them.

As the substance of your letter was included in the All-India Radio news today I am publishing this reply.

Letters Released by Mr. Jinnah

Complaining that not all the letters that passed between him and the Viceroy, were published, Mr. Jinnah released the other letters and stated as follows:

The Cabinet Delegation and His Excellency the Viceroy have thought fit to release only a few letters torn from the rest of the correspondence that passed between me and the delegation and the Viceroy, which have a very important bearing on the present controversy: that the Viceroy did make a clear representation to me that he would proceed to form his interim government on the basis of the formula 5: 5: 2, *i.e.* five representatives of the Muslim League, five of the Congress, one Sikh and one Indian Christian or Anglo-Indian, and that as regards the portfolios, the most

important portfolios will be equally divided between the League and the Congress in distribution thereof, further details being left open for discussion.

The Viceroy further authorised me to make that representation to my Working Committee and the Council of the All-India Muslim League, which I did, and, it was on that basis that both the Working Committee and the Council were induced to accept the long-term plan and the proposal for the interim government together as a whole.

This formula had a vital bearing and did greatly weigh with the Council of the All-India Muslim League in coming to their final decision, which was communicated to the Viceroy on June 7. Immediately thereafter sinister agitation was set on foot by the Congress press against this formula, and I informed the Viceroy by my letter of June 8, by way of caution, that there should be no departure from this formula. Below is the full-text of this letter which speaks for itself.

48.—Letter from Mr. Jinnah to the Viceroy, dated June 8, 1946

Dear Lord Wavell,—During the course of our discussions regarding the interim government at Simla and thereafter at Delhi on the 3rd June, after my arrival, and before the meeting of the Muslim League Working Committee took place, you were good enough to give me the assurance that there will be only 12 portfolios, five on behalf of the League, five Congress, one Sikh and one Christian or Anglo-Indian, and that as regards the portfolios, the most important portfolios will be equally divided between the League and the Congress in the distribution thereof, further details being left open for discussion.

With your previous permission I informed the Working Committee of this assurance and this was one of the most important considerations which weighed with them together with the statement of the Cabinet Mission. These two together formed one whole and, as such, the Council of the All-India Muslim League has given its final decision on June 6. I may further inform you that similarly I had to repeat the assurance to the Council before they finally gave their approval. As you know, the meeting of the All-India League Council was held *in camera* and there, again, the House showed great opposition to the scheme in the beginning.

During the course of discussions at a very early stage, a large body of opposition was satisfied when I made the statement in answer to the very pressing question as to what our position will be with regard to the interim government. But for this assurance, we could not have got the approval of the Council to the scheme. As requested by you, I took as much care as possible to see that it did not become public.

I am writing this letter to you as I find that a very sinister agitation has been set on foot by the Congress press against your formula stated above, which was the turning point in our having secured the decision of the Council. Any departure from this formula, directly or indirectly, will lead to very serious consequences and will not secure the co-operation of the Muslim League.

You know further that the Congress may adopt an offensive attitude by including a Muslim in their quota, which will be strongly resented by the Muslim League and which will be another very great hurdle before us.

49.—Letter from the Viceroy to Mr. M. A. Jinnah, dated June 9, 1946

Dear Mr. Jinnah,—Thank you for your letter of yesterday. You speak of an assurance about the 5 : 5 : 2 ratio. There was no assurance on this point, but I told you, as I told the Congress, that this was what I had in mind. It would be wrong for me to leave you under the impression that there was any assurance, although I hope that we may reach agreement on that basis.

Mr. Jinnah says, "The fact, however, remains that he (the Viceroy) did make this representation to me and authorised me to do likewise to the Working Committee and the Council of the All-India Muslim League, both of which were induced to come to their decisions upon the faith of this representation. The next important date is the 13th of June, when I was called by the Viceroy, and, suddenly he presented a new formula for the composition of the interim government, *i.e.*, 5 : 5 : 3. I have already explained as to what transpired between him and me with regard to this revised formula. But the Viceroy failed to negotiate an agreement with the Congress on this basis also and I was informed by his letter of June 15 that the Cabinet Delegation and he would issue a statement on June 16 on the action they proposed to take. I reproduce below in full the Viceroy's letter of June 15."

50.—Letter from the Viceroy to Mr. Jinnah, dated June 15, 1946

"I am writing to inform you that after discussions with the Congress representatives I have failed to negotiate an agreement on the basis which I suggested to you. The Cabinet Mission and myself have therefore decided to issue tomorrow a statement on the action we propose to take and we will let you have a copy of this before publication."—Wavell.

Their final proposals were embodied in their statement of June 16 and now they have gone back on these proposals also by postponing the formation of the interim government indefinitely.

As regards my interview on the evening of June 25 at 5-30 p.m. when I was suddenly called by the Cabinet Mission and the Viceroy, a fantastic interpretation was suggested on the statement of June 16 in the course of our talk and I was asked to give my opinion and I emphatically differed from them.

It was agreed that they will communicate in writing to me finally their views and the action they proposed to take. The Viceroy then sent me his letter dated June 25, which reached me, as I have already stated, at midnight after the resolution of the Working Committee was passed and released to the press.

If as it is now sought to make out they had already come to their final decision as to the course they were going to adopt, why was that decision not communicated to me by the Viceroy earlier in the day as they had received the Congress reply before midday on June 25 instead of calling me for discussion as to the correct interpretation or true construction of paragraph 8 in the statement of June 16 and then informing me that the Cabinet Mission and the Viceroy will communicate to me as to what they proposed to do?

I give below the full text of the Viceroy's letter of June 25 referred to above, my reply to this letter dated June 26 and the Viceroy's reply to it dated June 27 conveying to me his intention to form a temporary "caretaker" government till the reopening of negotiations after the elections to the Constituent Assembly have been completed.

51.—Letter from the Viceroy to Mr. Jinnah, dated June 25, 1946

"You asked for a letter in confirmation of what the Mission said to you this evening. We informed you that the Congress had accepted the statement of May 16 while refusing to take part in the interim government proposed in the statement of June 16. This has produced a situation in which paragraph 8 of the statement of June 16 takes effect.

"This paragraph said that if either of the two major parties was unwilling to join in the setting up of a coalition government on the lines laid down in the statement, the Viceroy would proceed with the formation of an interim government which will be as representative as possible of those willing to accept the statement of May 16.

"Since the Congress and the Muslim League have now both accepted the statement of May 16, it is the intention to form a coalition government including both those parties as soon as possible. In view, however, of the long negotiations which have already taken place and since we all have other work to do, we feel that it will be better to have a short interval before proceeding with further negotiations for the formation of an interim government.

"This, therefore, is the course of action we propose to adopt unless the two main parties can within the next few days agree upon a basis on which they can co-operate in a coalition government.

"Meanwhile the election and summoning of a Constituent Assembly as laid down in the statement of May 16 are going forward."

52.—Letter from Mr. Jinnah to the Viceroy, dated June 26, 1946

"I received your letter dated June 25 at midnight last night after I had sent you the resolution of my Working Committee passed at its meeting yesterday with a covering letter of the same date agreeing to join the interim government on the basis of the statement of the Cabinet Mission and yourself dated June 16 and the clarifications and assurances given by you after consultation with the Cabinet Mission in your letter dated June 20 addressed to me.

"I regret that the Congress while accepting the statement of May 16 should have rejected the proposals regarding the setting up of the interim government on the basis of the statement of June 16, which was the final decision of the Cabinet Mission and yourself in this regard.

"May I draw your attention to paragraph 8 of the statement of June 16, which clearly lays down that the acceptance of the statement of May 16 and rejection of the final proposals embodied in the statement of June 16 cannot change the basis and principles laid down therein.

"In paragraph 3 of your letter, when you say that the Viceroy would proceed with the formation of an interim government 'which will be as representative as possible, of those willing to accept the statement of May 16,' the quotation qualifies them to be included in the interim government, but only on the basis of and the principles laid down in your proposals of June 16.

"In these circumstances, as indicated in the statement of June 16, paragraph 7, that you aimed at inaugurating the interim government about June 26, I hope you will not now delay the matter but go ahead with the formation of the interim government on the basis of your statement of June 16."

53.—Letter from the Viceroy to Mr. Jinnah, dated June 27, 1946

"Thank you for your letter of yesterday. I am sorry that my letter did not reach you till after the meeting of your Working Committee had ended.

"As we explained to you during our interview on Tuesday, the Cabinet Mission and I consider that in the light of paragraph 8 of the statement of June 16 I am clearly bound to make an attempt to form a government representative of both the major parties since both have accepted the statement of May 16.

"I think you will agree that it is essential to have a short interval before resuming negotiations; and, as we informed you, it is proposed to set up a temporary 'caretaker' government of officials. I intend reopening negotiations after elections are completed. Meanwhile the Cabinet Mission will return home to report."

As regards my request for the postponement of elections to the Constituent Assembly, my reply to the two letters of the Viceroy of June 28 has not been included in the published letters. I, therefore, think that I must in fairness release my letter of June 28 in reply to the Viceroy's letter of June 27 reproduced above and also my reply dated June 28 to the two letters of the Viceroy of same date released to the press yesterday. The following is the text of the two letters.

54.—Letter from Mr. Jinnah to the Viceroy, dated June 28, 1946

"I am in receipt of your letter of June 27. I had already pointed out by my letter of June 26 in reply to yours of June 25, and also at the interview on Tuesday, June 25 with you and the Cabinet Mission that you

were in honour bound to proceed forthwith with the formation of your interim government in accordance with the statement of June 16, which was final, and the assurances given to us.

"The Cabinet Mission and yourself issued an official statement late in the evening of June 26 and, as I have already pointed out in my statement issued to the press yesterday, by that pronouncement you have chosen to go back upon your pledged word by postponing the formation of the interim government.

"Now I have received your letter of June 27 and hereby inform you that I cannot agree with you when you say in your letter that 'it is essential to have a short interval before resuming negotiations. I repeat that you should have proceeded in terms of paragraph 8 of the statement of June 16 without delay. But since you have adopted this course of action in the official statement of the Cabinet Mission and yourself, which is neither fair nor just, I strongly urge upon you without prejudice that the elections to the Constituent Assembly should also be postponed as you know that according to all the relevant documents and particularly the two statements of the Cabinet Mission and yourself dated May 16 and 25 the long-term plan and the formation of the interim government formed one whole, each constituting an integral part of the whole scheme. It is, therefore, undesirable to proceed with one part, *i.e.*, elections to the Constituent Assembly, and to postpone the other'."

55.—Letter from Mr. Jinnah to the Viceroy in reply to his Two Letters of June 28 released to the Press on June 29, 1946

"I am in receipt of your letter of June 28. The facts are correctly stated in my statement that was

released to the press yesterday, June 27. The explanation that you now give in your letter under reply of what took place between me and the Cabinet Mission and yourself does not change in any way the position.

"The fact is that you did not communicate to me your views officially before the meeting of the Working Committee. I requested you to give your views officially to me and you did so by your letter of June 25, which reached me at midnight after the Working Committee had passed their resolution which was released to the press according to the solemn arrangement that we were to give our reply immediately after the decision of the Congress. If you wish to take the credit that some indication was given to me of the change on your part in the course of the interview, where we discussed so many things, you may do so.

"As regards paragraph 2 of your letter I am surprised when you say that the assurances quoted by me from your letter in my statement were given if both the major parties had accepted the statement of June 16. No such indication of any condition is given in your letter of June 20, which I understand from your Private Secretary has already been released to the press together with some other correspondence. May I request you to release this letter also.

"I have received a second letter from you dated June 28. May I also request you to publish the full text of my letter of June 28 asking you to postpone the Constituent Assembly elections—and not only a substance of it which might have appeared in the All-India Radio broadcast—as you propose to release your reply to the press."—JINNAH.

I maintain that the Cabinet Mission and Viceroy have gone back on their word within ten days of the publication of their final proposals in not implementing

the statement of June 16 and I fully endorse what has been put so well—" Statesmen should not eat their words ".

Correspondence taken from two White Papers presented to the Parliament by the Cabinet Mission on their return.

56.—Letter from Master Tara Singh to the Secretary of State, dated May 25, 1946

Since the British Cabinet Mission's recommendations for the future constitution of India had been published a wave of dejection, resentment and indignation has run throughout the Sikh community. The reasons are quite obvious.

The Sikhs have been entirely thrown at the mercy of the Muslims. Group B comprises the Punjab, the North-West Frontier Province, Sind and Baluchistan. Representation given to each community will be: Muslims 23 ; Hindus 9 ; Sikhs 4.

Can anybody expect from this Assembly, constituted as it is, any consideration of justice for the Sikhs ? If the British Government is not aware of Sikh feelings, the Sikhs will have to resort to some measures in order to convince everybody concerned of the Sikhs' anxiety in case they are subjected to perpetual Muslim domination.

The Cabinet Mission has not only put under Muslim domination the non-Muslim areas of the Punjab and Bengal but the whole province of Assam, where non-Muslims are in overwhelming majority. This is evidently done to placate Muslims. If the first consideration of the Cabinet Mission's recommendations is to give protection to Muslims, why should the same consideration be not shown for Sikhs ?

But it appears that the Sikhs have been studiously debarred from having any effective influence in province, group or general Union.

I refer to Section 15 (*ii*) and Section 19 (*vii*) in which it has been definitely provided that a majority of both Hindus and Muslims is necessary for certain purposes. The Sikhs are entirely ignored though they are as much concerned as other communities.

This is how I read the recommendations of the Cabinet Mission. But as the issues are very grave and momentous Sikh representatives assembled here today to consider the situation created have advised me to seek clarification from you and find out if there is any hope of such amendments as may save the Sikhs from perpetual domination.

So I put three questions:

(1) What is the significance of recognising the Sikhs as one of "the main communities?"

(2) Suppose the majority in Section B frames a constitution under Section 19 (*v*) but the Sikh members do not agree, does it mean deadlock or does the opposition of the Sikh members mean simply dissociation?

(3) Is there any hope of obtaining for Sikhs the same right as is given to Muslims and Hindus under Section 15 (*ii*) and 19 (*vii*)?

57.—Letter from the Secretary of State to Master Tara Singh, dated June 1, 1946

Thank you for your letter of May 25.

The anxieties of the Sikhs were kept prominently in mind when we were drafting the Cabinet Mission's statement and I can certainly claim that of the various

alternatives open to us the best one from the Sikh point of view was chosen.

You will, I am sure, admit that if India had been divided into two sovereign States or if the Punjab had been partitioned either of these decisions would have been far less acceptable to the Sikhs than the one which was actually reached.

I have considered carefully the detailed points you raise at the end of your letter. I fear the Mission cannot issue any addition to or interpretation of the statement. There is, however, no intention whatever to prejudice the position of the Sikhs in the Punjab or in the North-West Group nor do I think their position has been prejudiced, for it is inconceivable that either the Constituent Assembly or any future government of the Punjab will overlook the Sikhs' special place in their province.

The estimate of the importance of your community would never depend on the number of seats that you held in the Constituent Assembly. The Viceroy has told me that he will be glad, in view of the anxieties you have expressed on behalf of your community, to discuss the position of the Sikhs specially with the leaders of the main parties when the Constituent Assembly has been formed. He hopes he may be able to persuade them (if persuasion is needed) that the interests of the Sikhs should on no account be overlooked.

If you and Sardar Baldev Singh would care to see the Cabinet Mission and the Viceroy in the first week of June, we shall be glad to see you.

58.—Letter from H. H. the Nawab of Bhopal, Chancellor of the Chamber of Princes to the Viceroy, dated June 19, 1946

(1) The Standing Committee of Princes gave their most careful consideration at their recent meetings in Bombay to the proposals of the Cabinet Mission and Your Excellency in regard to the long-range constitutional arrangements and for the interim period. Their views are embodied in the enclosed statement which has been released to the press and of which an advance copy was forwarded to Sir Conrad Corfield, Political Adviser to the Viceroy in his capacity as Crown Representative.

I would invite Your Excellency's particular attention to the attitude taken by the Standing Committee of Princes on the question of internal reforms in the States as indicated in paragraph 4 of the press statement.

(2) The Standing Committee desired me to convey to the members of the Cabinet Mission and to Your Excellency their grateful appreciation of the genuine efforts made by them, notwithstanding obvious difficulties, to reach as far as possible an agreed settlement of the Indian constitutional problem. The Standing Committee are of the view that the plan provides the necessary machinery for the attainment by India of independence as well as a fair basis for further negotiations.

They welcome the declaration of the Cabinet Mission in regard to paramountcy but consider certain adjustments necessary for the interim period, which have already been indicated by them. Final decisions of the States and of the Standing Committee, as will doubtless be appreciated, will depend on the completed picture which may emerge from the proposed negotiations and discussions.

(3) The Standing Committee desire in particular to convey their gratitude to Your Excellency for your valuable advice and assistance during the negotiations to safeguard the legitimate interests of the States. And they would request that their grateful thanks may also be conveyed to Sir Conrad Corfield who, as Your Excellency knows, has been very helpful. The Committee feel confident that with your support the various matters which have been left undefined or for future negotiation and discussion will be settled on merits to the satisfaction of the States.

(4) The Standing Committee have decided, in response to Your Excellency's invitation, to set up a Negotiating Committee. The Committee did their utmost to keep the number small, as desired by Your Excellency, but they felt that it would not be possible for them to reduce that number.

I shall be grateful if I am informed as early as possible of the time and place when this Committee is expected to meet and the personnel of the corresponding Committee which may be set up by the representatives of British India on the Constituent Assembly.

The results of these negotiations are proposed to be considered by the Standing Committee of Princes, the Committee of Ministers, and the Constitutional Advisory Committee, whose recommendations will be placed before a General Conference of Rulers and Representatives of States. Decision on the question whether the States should or should not join the Constituent Assembly will be taken by that conference and will depend on the result of the forthcoming negotiations.

(5) A list of representatives of States for the proposed Committee on matters of common concern to

British India and the States is also enclosed. It was necessary to accommodate on it various important interests and regions of States and to include persons with special knowledge of subjects which are likely to be taken up at the deliberations of this Committee.

It is understood, however, that all the members of this Committee would not be required to attend every meeting and that ordinarily not more than five or six—whatever the number from British India—would be invited by the Chancellor to participate in discussions according to the nature of subjects on the agenda. Provision will also have to be made for the co-option of representatives from any State or group of States not directly represented on the Committee.

When any special questions particularly affecting them are under discussion, draft rules for the conduct of business and other details relating to this Committee will be discussed with Sir Conrad and it is believed that Your Excellency may also have to consult the interim government in regard to these matters.

(6) In the meantime, as desired by Your Excellency, questions relating to the exercise of paramountcy in the interim period are proposed to be pursued with Sir Conrad and any outstanding points will be submitted to Your Excellency. The Standing Committee have authorised me to conduct further negotiations in regard to these matters with a view to reaching early decisions.

59.—Letter from the Viceroy to the Nawab of Bhopal, Chancellor of the Chamber of Princes, dated June 29, 1946

I am much obliged to Your Highness for your letter of June 19, in which Your Highness informs me of the conclusions reached by the Standing Committee

of Princes as a result of their deliberations in Bombay in the second week of June.

The Cabinet Mission and I welcome the attitude which the Princes have adopted towards the plan, which we have proposed for the solution of India's constitutional problem, and we particularly appreciate the action of the Standing Committee in endorsing the suggestions we made in regard to the manner in which States could best fit themselves to make their due contribution to India's new constitutional structure.

We are confident that, when the time comes for the States to make their final decision, that decision will be characterised by the same sense of realism and the same spirit of accommodation as have already been manifested.

I greatly appreciate the sentiments expressed by the Standing Committee in regard to myself and my Political Adviser. I should like to assure Your Highness and the Standing Committee that we shall continue, during the forthcoming negotiations, to give such assistance as is in our power to the promotion of agreed conclusions satisfactory alike to the States and to British India.

I have taken note of the personnel selected by the States to represent them on the Negotiating Committee. I will inform Your Highness, as soon as I am in a position to do so, of the time and place of the Committee's meeting.

The composition of the corresponding Committee from British India cannot, I think, be determined in advance of the preliminary session of the Constituent Assembly.

I understand from Sir Conrad Corfield that he is already engaged in active discussions with the authorities

of the Central Government about the machinery for giving effect to the Princes' proposal for a consultative committee to deal with matters of common concern to British India and the States.

Sir Conrad will, no doubt, keep Your Highness fully informed of the progress made in these discussions, and I myself intend, at a later stage, to place the proposal before the interim government.

I shall be grateful if Your Highness will convey to the Standing Committee of Princes my appreciation of the helpful attitude they have adopted towards the complex constitutional problems with which India is confronted. Under Your Highness's presidency, the Standing Committee has given a lead, which will, I trust, be followed by all Princes of India."

CHAPTER VI

CONGRESS RESOLUTION ON PROPOSALS

The following is the full text of the resolution passed by the Congress Working Committee, on May 24, on the Cabinet Mission's proposals:

"The Working Committee have given careful consideration to the statement dated May 16, 1946, issued by the delegation of the British Cabinet and the Viceroy on behalf of the British Government, as well as the correspondence relating to it, that has passed between the Congress President and the members of the delegation. They have examined it with every desire to find a way for a peaceful and co-operative transfer of power and the establishment of free and independent India. Such an India must necessarily have a strong Central authority, capable of representing the nation with power and dignity in the counsels of the world.

"In considering the statement, the Working Committee have kept in view the picture of the future, in so far as this was available to them from the proposals made for the formation of a provisional government and the clarification given by members of the delegation. This picture is still incomplete and vague. It is only on the basis of the full picture that they can judge and come to a decision, as to how far this is in conformity with the objectives they aim at. These objectives are: Independence for India; a strong though limited Central authority; full autonomy for the provinces; the establishment of a democratic structure at the Centre and in the units; the guarantee of the fundamental rights of each individual so that he may have full and equal opportunities of growth and further, that each community

should have opportunity to live the life of its choice within the larger framework.

"The Committee regret to find a divergence between these objectives and the various proposals that have been made on behalf of the British Government, and, in particular there is no vital change envisaged during the interim period, when the provisional government will function, in spite of the assurance given in paragraph 23 of the statement. If the independence of India is aimed at then the functioning of the provisional government must approximate closely in fact, even though not in law, to that independence and all obstructions and hindrances to it should be removed. The continued presence of a foreign army of occupation is a negation of independence.

"The statement issued by the Cabinet Delegation and the Viceroy contains certain recommendations and suggests a procedure for the building up of a Constituent Assembly, which is sovereign in so far as the framing of the constitution is concerned. The Committee do not agree with some of these recommendations. In their view it will be open to the Constituent Assembly itself at any stage to make changes and variations, with the proviso, that in regard to certain major communal matters a majority decision of both the major communities will be necessary.

"The procedure for the election of the Constituent Assembly is based on representation in the ratio of one to a million, but the application of this principle appears to have been overlooked in the case of European members of Assemblies, particularly in Assam and Bengal. Therefore the Committee expect that this oversight will be corrected.

"The Constituent Assembly is meant to be a fully elected body, chosen by the elected members of the Pro-

vincial Legislatures. In Baluchistan, there is no elected Assembly, or any other kind of Chamber, which might elect its representative for the Constituent Assembly. It would be improper for any kind of nominated individual to speak for the whole province of Baluchistan, which he really does not represent in any way.

"In Coorg, the Legislative Council contains some nominated members as well as Europeans elected from a special constituency of less than 100 electors. Only the elected members from the general constituencies should participate in the election.

"The statement of the Cabinet Delegation affirms the basic principle of provincial autonomy and residuary powers vesting in the provinces. It is further said that provinces should be free to form groups. Subsequently, however, it is recommended that provincial representatives will divide up into sections, which shall proceed to settle the provincial constitutions for the provinces in each section and shall also decide whether any group constitution shall be set up for those provinces.

"There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced, which clearly infringes the basic principle of provincial autonomy. In order to obtain the recommendatory character of the statement, and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that in the first instance, the respective provinces shall make their choice whether or not to belong to the section in which they are placed. Thus the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up a constitution and giving effect to it.

"The provisions in the statement in regard to the Indian States are vague and much has been left for future

decision. The Working Committee would, however, like to make it clear that the Constituent Assembly cannot be formed of entirely desperate elements, and the manner of appointing States representatives for the Constituent Assembly must approximate, in so far as is possible, to the method adopted in the provinces.

"The Committee are gravely concerned to learn that even at this present moment some State Governments are attempting to crush the spirit of their people with armed force. These recent developments in the States are of great significance in the present and for the future of India, as they indicate that there is no real change of policy on the part of some of the State Governments and of those who exercise paramountcy.

"A provisional national government must have a new basis and must be a precursor of the full independence that will emerge from the Constituent Assembly. It must function in recognition of that fact, though changes in law need not be made at this stage.

"The Governor-General may continue as the head of that government during the interim period but the government should function as a Cabinet responsible to the Central Legislature. The status, powers and composition of the provisional government should be fully defined in order to enable the Committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority.

"The Working Committee consider that the connected problems involved in the establishment of a provisional government and a Constituent Assembly should be viewed together, so that they may appear as parts of the same picture, and there may be co-ordination between the two, as well as an acceptance of the independence that is now recognised as India's right and due.

"It is only with the conviction that they are engaged in building up a free, great and independent India, that the Working Committee can approach this task and invite the co-operation of all the people of India. In the absence of a full picture the Committee are unable to give a final opinion at this stage."

Official Statement on Congress and League Reaction

"The scheme stands as a whole and can only succeed if it is accepted and worked in a spirit of co-operation," stated the Cabinet Delegation and the Viceroy in a statement issued on May 25, after considering the statement of Mr. Jinnah and the Congress Working Committee resolution.

The following is the full text of the statement:

"The delegation have considered the statement of the President of the Muslim League dated May 22 and the resolution dated May 24 of the Working Committee of the Congress.

"The position is that since the Indian leaders, after prolonged discussion, failed to arrive at an agreement, the delegation put forward their recommendations as the nearest approach to reconciling the views of the two main parties. The scheme stands as a whole and can only succeed if it is accepted and worked in a spirit of co-operation.

"The delegation wish also to refer briefly to a few points that have been raised in the statement and the resolution. The authority and the functions of the Constituent Assembly and the procedure which it is intended to follow are clear from the Cabinet Delegation's statement. Once the Constituent Assembly is formed and working on this basis, there is no intention

of interfering with its discretion or questioning its labours.

"His Majesty's Government will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people, subject only to two matters, which are mentioned in the statement and which, we believe, are not controversial, namely, adequate provision for the protection of the minorities (paragraph 20 of the statement) and willingness to conclude a treaty with His Majesty's Government to cover matters arising out of the transfer of power (paragraph 22 of the statement).

"It is a consequence of the system of election that a few Europeans can be elected to the Constituent Assembly. Whether the right so given will be exercised is a matter for them to decide.

"The representative of Baluchistan will be elected in a joint meeting of the Shahi Jirga and the non-official members of the Quetta Municipality.

"In Coorg the whole Legislative Council will have the right to vote, but the official members will receive instructions not to take part in the election.

"The interpretation put by the Congress resolution on paragraph 15 of the statement to the effect that the provinces can, in the first instance, make the choice whether or not to belong to the section in which they are placed does not accord with the delegation's intentions. The reasons for the grouping of the provinces are well known and this is an essential feature of the scheme and can only be modified by agreement between the parties.

"The right to opt out of the groups after the constitution making has been completed will be exercised by the people themselves, since at the first election

under the new provincial constitution this question of opting out will obviously be a major issue and all those entitled to vote under the new franchise will be able to take their share in a truly democratic decision.

"The question of how the States representatives should be appointed to the Constituent Assembly is clearly one which must be discussed with the States. It is not a matter for decision by the delegation.

"It is agreed that the interim government will have a new basis. That basis is that all portfolios, including that of the war member, will be held by Indians; and that the members will be selected in consultation with the Indian political parties.

"These are very significant changes in the Government of India, and a long step towards independence. His Majesty's Government will recognise the effect of these changes, will attach the fullest weight to them, and will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of India.

"As the Congress statement recognises, the present constitution must continue during the interim period and the interim government cannot, therefore, be made legally responsible to the Central Legislature. There is, however, nothing to prevent the members of the Government, individually or by common consent, from resigning, if they fail to pass an important measure through the legislature, or if a vote of no-confidence is passed against them.

"There is of course no intention of retaining British troops in India against the wish of an independent India under the new constitution; but during the interim period, which it is hoped will be short, the British Parliament has, under the present constitution, the ultimate responsibility for the security of India, and it is necessary, therefore, that British troops should remain.

SCHEDULED CASTES' RESOLUTION

In a 2,000-word resolution passed on June 4, the Working Committee of the All-India Scheduled Castes Federation called upon His Majesty's Government and the Labour Party in England to take up the cause of the Scheduled Castes in right earnest and rectify immediately the wrong done to them by the Cabinet Mission. "Failing this, the Working Committee feels that there will be no alternative for the Scheduled Castes but to resort to direct action. And if circumstances require such a direct action to save the Scheduled Castes from the impending catastrophe, the Working Committee will not hesitate to ask the Scheduled Castes to do so", it added.

Examining the Cabinet Mission's proposals critically, the Committee says: "It was noticed with profound indignation that the Cabinet Mission has not mentioned the Scheduled Castes, even once, in the course of their statement. It is difficult to understand the working of the mind of the Cabinet Mission. The Mission could not have been unaware of the existence of the untouchables, their disabilities, the tyrannies and oppressions practised upon them by Caste Hindus all over India, pronouncements made by His Majesty's Government that the untouchables are separate from Caste Hindus and constitute a distinct element in the national life of India and of the pledges given by His Majesty's Government that no constitution, which had not the consent of the Scheduled Castes would be imposed upon them.

"Having regard to these circumstances, the Committee feels no hesitation in saying that in ignoring, the Scheduled Castes in the manner in which it has done, the Cabinet Mission has brought the name of the British nation into disgrace and disrepute."

The Committee emphasises that the provisions contained in the Cabinet Mission's proposals for safeguarding the interest of the Depressed Classes "are absolutely illusory and unworthy of serious consideration."

No seats had been reserved for Scheduled Castes in the Constituent Assembly, as had been done in the case of the Muslims and the Sikhs. It was, therefore, possible that the Constituent Assembly may not have any representatives of the Scheduled Castes.

On the question of representation of the Scheduled Castes in the Constituent Assembly and the Advisory Committee the resolution says: "The Cabinet Mission has without compunction ignored unimpeachable evidence and without any justification committed the gravest act of treachery in leaving the Scheduled Castes to the mercy of the Hindus."

The Committee, therefore, demanded that Scheduled Castes should have the right to be represented in the Legislatures through separate electorates. The Working Committee authorised the President to constitute a Council of Action, charged with the duty of examining the lines of direct action and to determine the action most effective and fix the time for launching it.

CHAPTER VII

LEAGUE ACCEPTS PROPOSALS

The Council of the All-India Muslim League which discussed the proposals 'freely and frankly' at Delhi at a secret session, accepted them on June 6. There was a considerable opposition to the proposals in the Council but it dwindled down in view of certain assurances which Mr. Jinnah got from the Viceroy. (Of these Mr. Jinnah himself made mention elsewhere.)

The following is the full text of the resolution:

This meeting of the Council of the All-India Muslim League, after having carefully considered the statement issued by the Cabinet Mission and the Viceroy on May 16 and other relevant statements and documents officially issued in connection therewith; and after having examined the proposals set forth in the said statement in all their bearings and implications, places on record the following views for the guidance of the nation and direction to the Working Committee.

That the references made and the conclusions recorded in paragraphs, 6, 7, 8, 9, 10 and 11 of the statement concerning the Muslim demand for the establishment of a full sovereign Pakistan as the only solution of the Indian constitutional problem are unwarranted, unjustified and unconvincing and should not, therefore, have found place in a State document issued on behalf and with the authority of the British Government.

These paragraphs are couched in such language and contain such mutilation of established facts that the Cabinet Mission have clearly been prompted to include

them in their statement solely with the object of appeasing the Hindus in utter disregard of Muslim sentiments. Furthermore, the contents of the aforesaid paragraphs are in conflict and inconsistent with the admissions made by the members of the Mission themselves in paragraphs 5 and 12 of their statement, which are to the following effect :

Firstly, the Mission "were greatly impressed by the very genuine and acute anxiety of the Muslims, lest they should find themselves subject to a perpetual Hindu majority rule ;"

Secondly, "this feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards ;"

Thirdly, "If there is to be internal peace in India, it must be secured by measures, which will assure to the Muslims a control in all matters vital to their culture, religion, economic or other interests ;" and

Fourthly, very real Muslim apprehensions exist that "their culture and political and social life might become submerged in a purely unitary India in which Hindus, with their greatly superior numbers, must be a dominating element."

In order that there may be no manner of doubt in any quarter, the Council of the All-India Muslim League reiterates that the attainment of the goal of complete sovereign Pakistan still remains the unalterable objective of the Muslims of India, for the achievement of which they will, if necessary employ every means in their power and consider no sacrifice or suffering too great.

That notwithstanding the affront offered to Muslim sentiments by a choice of injudicious words in the preamble of the statement of the Cabinet Mission, the Muslim League, having regard tc the grave issues

involved, and prompted by its earnest desire for a peaceful solution, if possible, of the Indian constitutional problem, and inasmuch as the basis and the foundation of Pakistan are inherent in the Mission's plan by virtue of the compulsory grouping of the six Muslim provinces in Sections B and C, is willing to co-operate with the constitution-making machinery proposed in the scheme outlined by the Mission, in the hope that it would ultimately result in the establishment of a complete sovereign Pakistan and in the consummation of the goal of independence for the major nations, and all the other peoples inhabiting this vast subcontinent.

It is for these reasons that the Muslim League is accepting the scheme and will join the constitution-making body and will keep in view the opportunity and the right of secession of provinces or groups from the Union, which have been provided in the Mission's plan by implication.

The ultimate attitude of the Muslim League will depend on the final outcome of the labours of the constitution-making body and on the final shape of the constitutions, which may emerge from the deliberations of that body jointly and separately in its three sections.

The Muslim League also reserves the right to modify and revise the policy and attitude set forth in this resolution at any time during the progress of deliberations of the constitution-making body or the Constituent Assembly or, thereafter, if the course of events so require, bearing in mind the fundamental principles and ideals hereinbefore adumbrated to which the Muslim League is irrevocably committed.

That with regard to the arrangements for the proposed interim government at the Centre, this Council authorises its President to negotiate with the Viceroy and to take such decisions and actions as he deems fit and proper.

On the previous day, Mr. Jinnah spoke for 45 minutes at the open session of the Council.

Addressing the members of the Council, Mr. Jinnah said, "You have been summoned on an occasion which is a very serious one indeed. You have got to decide momentous issues now facing us."

He referred to the negotiations in Delhi, the progress and final breakdown of the Tripartite Conference at Simla, the British proposals and his comment thereon and the correspondence between the three parties and said:

"You have got all the material before you and the decisions you have to take are going to be of far-reaching importance and consequence.

"No doubt," he went on "the Working Committee could have followed the normal procedure on the analogy of a cabinet. It could have, if it had chosen to do so, come to a decision and formulated a resolution of its own after the two days' discussions it had had and it could have presented its decision to the Council for confirmation. But the Working Committee thought that this was an exceptional position of grave importance and, therefore, that was not the course for it to adopt.

"If we had taken any decision and placed it before you and if you disapproved of it, there would have been no other course open to us except to resign and we thought that we should not create such a situation when the Council is meeting and when there is no urgency and no necessity for such a course.

"Members of the Working Committee have discussed the pros and cons for hours and we thought we should not anticipate your verdict or your decision

and, therefore, we have adopted this course that the Council, having regard to the gravity of the situation, should take the responsibility for whatever decision you arrive at.

" I want, therefore, every member to feel that he is free and he is not tied down or fettered by any step that we have taken which prevents him in any way for expressing his opinions or taking his final decision, whatever it may be. It is now up to you as the Parliament of the Muslim Nation to take your decision."

Referring to the demand for Pakistan Mr. Jinnah said: " Let me tell you that Muslim India will not rest content until we have established a full, complete and sovereign Pakistan. (Loud cheers.) And I repel with all the emphasis that I can command the arguments and the reasons and the way in which the Mission has mutilated the facts for no other purpose except to please and appease the Congress. (Cries of 'shame, shame'.)

" In fact the foundation and the basis of Pakistan are there in their own scheme. (Hear, hear.)

" That was one of the greatest blunders that they have made, and the result has been this. The Congress press and the Hindus, when they heard these phrases and had this sugar-coated pill (laughter) that Pakistan was rejected, there was jubilation and, naturally, amongst the Muslims there was the strongest condemnation and resentment. But it was a sugar-coated pill and there was so little sugar that within a short time the Congress press felt it was a pill minus sugar." (Laughter.)

Mr. Jinnah went on to refer to his recent remarks at a Muslim reception at Simla and the interpretation

put on those remarks. These grave issues, he said, were not to be decided by a word here or a phrase there or by mere sentiment or slogans.

It had been reported that he said, "we cannot keep quarrelling all the time." The obtuse mentality of a section of the press at once jumped to the conclusion, "Mr. Jinnah has come to his sensss."

"I am glad I have come to my senses," Mr. Jinnah went on, "but I wish they will also come to their senses. (Laughter.) Surely it requires two parties for a quarrel but in this case there are three and even four parties, leaving smaller minorities.

"When I say we cannot keep quarrelling all the time, am I not addressing everyone of them, including ourselves? I know and I repeat this, that the Mussalmans have suffered, and suffered to an extent that I shudder to think of."

"Six years ago the position of the Mussalmans was such," continued Mr. Jinnah "that they would have been wiped off. In every walk of life the Mussalmans have suffered and are suffering now. I want to say, put an end to this suffering and for us there is no other goal except the establishment of Pakistan. (Cheers.) Maybe, obstacles will be put in our way but nothing is going to make us flinch or falter in any way or budge by a hair's breadth from doing everything in our power to reach our goal and establish Pakistan."

Mr. Jinnah added: "I repeat from this platform that delay is not good either for the British Government or the Hindus. If they love freedom, if they love the independence of India, if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan. Either you agree or we shall have it in spite of you. (Hear, hear)

"What methods they would adopt and what instruments they would use would depend upon the time and circumstances.

The League's acceptance of the Cabinet Mission's plan for the future Indian constitution was described by the British press as a 'wise and statesmanlike' decision.

The *Times* said, "The sense of realism shown by Mr. Jinnah and his colleagues of the Muslim League in accepting the plan of the Cabinet Mission augurs well for the future alike of the Muslim community and of India.

"A careful study of the Mission's plan has led the Council of the League to the conclusion that, although Pakistan is not conceded, provision is nonetheless made for its essential elements."

The *Daily Telegraph* (Conservative) wrote: "In accepting the Cabinet Mission's plan for the future government of India, the Muslim League, with Mr. Jinnah at its head, has saved the country from the prospect of immediate chaos. That is a statesmanlike decision.

"It would be wrong to suppose that it is abandonment of the Muslim demand for Pakistan. What is recognised is that, within the Mission's proposals, there is substance of Pakistan, with a provision for alteration of the constitution after 10 years."

The Liberal *Manchester Guardian* said, "Mr. Jinnah, who held out so long for a full sovereign Muslim State, has shown true statesmanship in taking the substance of Pakistan".

The National Committee for India's freedom in America said, "The Committee is overjoyed at the

acceptance of the British proposals by the Muslim League with such an overwhelming majority".

PRINCES ACCEPT PROPOSALS

The Chamber of Princes accepted the British proposals on June 10, for the future constitutional reforms in India, and decided to negotiate with the Viceroy on issues which should require adjustment during the interim period.

The Chancellor of the Chamber of Princes, Nawab of Bhopal, issued the following statement on behalf of the Standing Committee:

"The Standing Committee of the Chamber of Princes have in consultation with the Committee of Ministers and the Constitutional Advisory Committee, given careful consideration to the statement issued by the Cabinet Delegation and His Excellency the Viceroy on May 16, 1946.

"They have also examined the delegation's memorandum on States' treaties and paramountcy, and their further statement of May 26. They are of the view that the plan provides the necessary machinery for the attainment by India of independence as well as a fair basis for further negotiations. They welcome the declaration of the Cabinet Mission, in regard to paramountcy, but certain adjustments for the interim period will be necessary.

"There are, however, a few points in the plan which still require elucidation. There are also several matters of fundamental importance which are left over for negotiation and settlement. The Standing Committee have, therefore, accepted the invitation of His Excellency the Viceroy to set up a negotiating Committee and have authorised the Chancellor to arrange discussions as contemplated in the plan. It is proposed to place the results of these negotiations before a general conference of rulers and representatives of States.

"As regards the arrangements for the interim period, the Standing Committee confirm the following proposals made by the Chancellor :

(*a*) That a special Committee may be set up consisting of representatives of the States and of the Central Government to discuss and reach agreement on matters of common concern during the interim period;

(*b*) That disputes on justifiable issues and on fiscal, economic or financial matters should be referable to courts of arbitration as a matter of right ;

(*c*) That in personal and dynastic matters the agreed procedure should be implemented in the letter and in the spirit and the Crown Representative should ordinarily consult the Chancellor and a few other princes if not objected to by the States concerned; and

(*d*) That in agreement with the States, machinery may be provided for the early settlement of the pending cases and for the revision, at the instance of the States concerned, of the existing arrangements in regard to such subjects as railways, ports and customs.

"The Committee have, therefore, authorised the Chancellor to conduct further negotiations with a view to reaching early decisions.

"The Standing Committee endorse the suggestion made by the Cabinet Delegation that the States will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the States they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constitutional structure.

"It will also strengthen the position of the States during this formulative period if the various governments which have not already done so take active steps to place themselves in close and constant touch with public opinion in their States by means of representative institutions.

"The Standing Committee wish to emphasise the necessity for the States, which have not done so, to declare immediately their decision to follow the lines of internal reforms laid down in the declaration made by the Chancellor at the last session of the Chamber of Princes and to take necessary steps to implement that decision within 12 months."

CHAPTER VIII

MISSION'S PROPOSALS *re.* INTERIM GOVERNMENT

On Sunday, June 16, the Cabinet Mission and the Viceroy issued a statement regarding the formation of an interim government at the Centre, after having failed to get parity between Hindus or Muslims, or Congress or League accepted by the Congress.

The statement says, "His Excellency the Viceroy in consultation with the members of the Cabinet Mission has for some time been exploring the possibilities of forming a coalition government drawn from the two major parties and certain of the minorities. The discussions have revealed the difficulties which exist for the two major parties in arriving at any agreed basis for the formation of such a government.

"The Viceroy and the Cabinet Mission appreciate these difficulties and the efforts which the two parties have made to meet them. They consider, however, that no useful purpose can be served by further prolonging these discussions. It is indeed urgently necessary that a strong and representative interim government should be set up to conduct the very heavy and important business that has to be carried through.

"The Viceroy is, therefore, issuing invitations to 14 men to serve as members of the interim government on the basis that the constitution making will proceed in accordance with the statement of May 16.

"If any of those invited is unable for personal reasons to accept, the Viceroy will, after consultation, invite some other person in his place.

"The Viceroy will arrange the distribution of portfolios in consultation with the leaders of the two major parties.

The above composition of the interim government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available coalition government.

"The Viceroy and the Cabinet Mission believe that Indians of all communities desire to arrive at a speedy settlement of this matter so that the process of constitution making can go forward and that the Government of India may be carried on as efficiently as possible in the meantime.

"They, therefore, hope that all parties, especially the two major parties will accept the proposal so as to overcome the present obstacles, and will co-operate for the successful carrying on of the interim government. Should this proposal be accepted the Viceroy will aim at inaugurating the new government about June 26.

"In the event of the two major parties or either of them proving unwilling to join in the setting up of a coalition government on the above lines, it is the intention of the Viceroy to proceed with the formation of an interim government which will be as representative as possible of those willing to accept the statement of May 16."

The following is the text of the Viceroy's letter dated June 16 to the Presidents of the Congress and the Muslim League :

"I send herewith a copy of the statement which, as indicated in the letter I sent you yesterday, will be released at 4 p.m. this evening.

" As the statement shows, the Cabinet Ministers and I are fully aware of the difficulties that have prevented an agreement on the composition of the interim government. We are unwilling to abandon our hope of a working partnership between the two major parties and representatives of the minorities. We have, therefore, done our best to arrive at a practicable arrangement taking into consideration the various conflicting claims and the need for obtaining a government of capable and representative administrators. We hope that the parties will now take their share in the administration of the country on the basis set out in our new statement. We are sure we can rely on you and your Working Committee to look to the wider issues and to the urgent needs of the country as a whole, and to consider this proposal in a spirit of accommodation."

The Viceroy issued invitations to the following persons to serve as members of the interim government :

Congress —Pandit Jawaharlal Nehru, Mr. C. Rajagopalachari, Dr. Rajendra Prashad, Sardar Vallabhbhai Patel, Mr. H. K. Mehtab and Mr. Jagjivan Ram (Scheduled Caste).

League.—Mr. M. A. Jinnah, Khawaja Sir Nazim-ud-Din, Nawabzada Liaquat Ali Khan, Nawab Ismail Khan and Sardar Abdur Rab Nishtar.

Minorities.—Sir N. P. Engineer (Parsee) Dr. John Mathai (Indian Christian) and Sardar Baldev Singh (Sikh).

All these 14 invitees received individual invitations from the Viceroy.

CHAPTER IX

CONGRESS'S FINAL RESOLUTION

The Congress Working Committee rejected the interim provisional government proposal announced by the Cabinet Mission on June 16 and conditionally accepted the long-term plan envisaged in the Mission's statement of May 16.

The following is the full text of the resolution passed by the Congress Working Committee on the British Cabinet Mission's proposals :

"On May 24 the Working Committee passed a resolution on the statement dated May 16 issued by the British Cabinet Mission and the Viceroy. In this resolution it pointed out some defects in the statement and gave its own interpretation of certain parts of it.

"Since then the Committee has been continuously engaged in giving earnest consideration to the proposals made on behalf of the British Government in the statements of May 16 and June 16 and has considered the correspondence in regard to them between the Congress President and the members of the British Cabinet Mission and the Viceroy.

"The Committee has examined both these sets of proposals from the point of view of the Congress objective of immediate independence and the opening of avenues leading to rapid advance by the masses economically and socially so that their material standards may be raised and poverty, malnutrition, famine and lack of the necessaries of life may be ended and all the people of the country may have freedom and opportunity to grow and develop according to their genius.

" These proposals fall short of these objectives. Yet the Committee considered them dispassionately in all their aspects because of its desire to find some way for a peaceful settlement of India's problems and the ending of conflict between India and England.

" The kind of independence the Congress aims at is the establishment of a united, democratic Indian Federation with a Central authority that would command respect from the nations of the world, maximum provincial autonomy, and equal rights for all men and women in the country.

" Limitation of the Central authority as contained in the proposals as well as the system of grouping provinces weakened the whole structure and was unfair to some provinces such as the N.W.F. Province and Assam and some of the minorities, notably Sikhs.

" The Committee disapproved of this. It felt however that taking the proposals as a whole there was sufficient scope for enlarging and strengthening the Central authority and for fully ensuring the right of a province to act according to its choice in regard to grouping and to give protection to such minorities as might otherwise be placed at a disadvantage.

" Certain other objections were also raised on their behalf notably the possibility of non-nationals taking any part in the constitution making. It is clear that it would be a breach of both the letter and spirit of the statement of May 16 if any non-Indian participated in voting or standing for election to the Constituent Assembly.

" In the proposals for an interim government contained in the statement of June 16 the defects related to matters of vital concern to the Congress. Some of these have been pointed out in the letter dated June 25 of the Congress President to the Viceroy.

"The provisional government must have power and authority and responsibility and should function in fact if not in law as a *de facto* independent government leading to full independence. The members of such a government can only hold themselves responsible to the people and not to any external authority.

"In the formation of a provisional or other government Congressmen can never give up the national character of the Congress or accept an artificial and unjust parity or agree to the veto of a communal group.

"The Committee is unable to accept the proposals for the formation of an interim government as contained in the statement of June 16.

"The Committee has, however, decided that the Congress should join the proposed Constituent Assembly with a view to framing the constitution of a free, united and democratic India.

"While the Committee has agreed to Congress participation in the Constituent Assembly it is in its opinion essential that a representative and responsible provisional national government be formed at the earliest possible date.

"Continuation of an authoritarian and unrepresentative government can only add to the suffering of famishing masses and cause increased discontent. It will also put in jeopardy the work of the Constituent Assembly, which can only function in a free environment.

"The Working Committee accordingly recommends to the All-India Congress Committee that for the purpose of considering and ratifying this recommendation there be convened an emergent meeting of the A.-I.C.C. in Bombay on July 6 and 7, 1946."

This decision of the All-India Congress was deplored in the British press and Anglo-Indian press in India.

The influential Scotsman said, "Being himself without any conception of administration or any interest in Government, Mr. Gandhi is virtually resolved that the Congress should continue to be an irresponsible opposition."

The *News Chronicle* said, "The Congress has rejected the proposal not because of any defect from the national point of view but because they are still determined to put their own sectional interest first."

The *Times of India* said, "It is a monstrous thing that the most powerful political party in the country should focus a betrayal of the wider interests of the country at a time like this on so narrow an argument of communal representation."

The *Yorkshire* (Conservative) said, "The Congress has been unable to rise above party suspicions and jealousies at a moment which demands a high sense of statesmanship."

Maulana Mazhar Ali Azhar, General Secretary of the All-India Majlis-i-Ahrar, issued the following statement on the Congress rejection of the British proposals:

"Congress has rejected Congress-Muslim League parity, hereby Hindu-Muslim parity, or parity between Caste Hindus and Muslims and has thus torpedeoed hopes of forming an interim government or placing the country on the road to freedom.

"On behalf of the Ahrar Party I have to declare that before the Nationalist Muslim Groups met the Cabinet Mission, the Nationalist formula containing Hindu-Muslim parity in the interim government as well

as in the future Central Government was known to and approved by responsible Congress leaders.

"But after 'getting Pakistan rejected' by the Cabinet Mission they have now decided to oppose Hindu-Muslim parity tooth and nail. They have thus, compelled all Nationalist Muslims to revise their stand in respect of the future constitution of India and thus marred the chances of success of any negotiations. I am at a loss to understand what the Congress hopes to gain by the tactics so for adopted.

"So far as compulsory grouping is concerned, no province is compelled to join a group but is only compelled to sit with some other province or provinces to decide whether or not any group constitution is to be framed. If any group constitution is framed against the opinion of a province, it has the right to stand aloof and refuse to join the group.

"To those Congressmen and others who are talking of democracy and other slogans to oppose the grouping scheme I have to put these questions: When you say no province should be compelled to join any group or sit with any group to consider the advisability of framing a group constitution, why do you deny to every province the right to refuse to join the Union Centre? If Sind and Bengal are compelled to join the Union Centre, and there is no harm therein, why should any objection be raised if the N. W. F. P. and Assam are compelled to sit with their groups to consider the formation of a group constitution?

"Provinces are given the right to opt out if the group constitution does not suit them, but are Congressmen and other Nationalists prepared to give them the right to opt out of the Union Centre if the Union constitution is unpalatable to them?".

LEAGUE ACCEPTS INTERIM GOVERNMENT PROPOSALS

" The Working Committee of the All-India Muslim League accepted the interim government proposals in the light of clarifications and assurances given by the Viceroy in consultation with the Mission in his letter of June 20 to Mr. Jinnah".

This was disclosed by Nawabzada Liaquat Ali Khan to the pressmen who were present at his residence. He added that a letter to that effect had been sent to the Viceroy late on Tuesday (June 25) night.

CHAPTER X

CARETAKER GOVERNMENT ANNOUNCED

The Cabinet Mission and the Viceroy postponed the formation of an interim government in view of the Congress rejection of the interim government proposals and announced, instead, the setting up of a 'caretaker' government of officials.

The following is the full text of the statement issued by the Cabinet Mission and the Viceroy :

"The Cabinet Mission and the Viceroy are glad that constitution making can now proceed with the consent of the two major parties and of the States. They welcome the statements made to them by the leaders of the Congress and the Muslim League that it is their intention to try and work in the Constituent Assembly so as to make it an effective means of devising the new constitutional arrangements under which India can achieve her independence. They are sure that the members of the Constituent Assembly, who are about to be elected, will work in this spirit.

"The Cabinet Mission and the Viceroy regret that it has not so far proved possible to form an interim coalition government, but they are determined that the effort should be renewed in accordance with the terms of paragraph 8 of their statement of June 16.

"Owing however, to the very heavy burden which has been cast upon the Viceroy and the representatives of the parties during the last three months, it is proposed that further negotiations should be adjourned for a short interval—during the time while the elections for the Constituent Assembly will be taking place

It is hoped that when the discussions are resumed the leaders of the two major parties, who have all expressed their agreement with the Viceroy and the Mission of the need for the speedy formation of a representative interim government, will do their utmost to arrive at an accommodation upon the composition of that government.

As the Government of India must be carried on until a new interim government can be formed, it is the intention of the Viceroy to set up a temporary caretaker government of officials.

It is not possible for the Cabinet Mission to remain longer in India, as they must return to report to the British Cabinet and Parliament and also to resume their work, from which they have been absent for over three months. They, therefore, propose to leave India on Saturday next, June 29.

In leaving India, the members of the Cabinet Mission express their cordial thanks for all the courtesy and consideration which they have received as guests in the country, and they most sincerely trust that the steps which have been initiated will lead to a speedy realisation of the hopes and wishes of the Indian people.

Reactions

On the postponement of the formation of the interim government, Mr. M. A. Jinnah, President of the All-India Muslim League, issued a statement to the press in which he reviewed the whole situation. The following is the full text of the statement:

"I have considered the letter of the Congress President addressed to Lord Wavell dated June 25, the resolution of the Working Committee of the Congress released to the press yesterday; and the statement of the Cabinet Delegation and the Viceroy issued in New Delhi on Wednesday, June 26, but a copy of which has not yet been furnished to me.

"I think it is necessary for me to state shortly as to what occurred during the progress of the negotiations at various stages from time to time.

"Prior to the Cabinet Delegation's statement of May 16, and further statement of May 25, the Viceroy at Simla represented to me that he would proceed with the formation of an interim government on the basis of the formula 5 : 5 : 2, *i.e.* 5 on behalf of the Muslim League, 5 on behalf of the Congress, one Sikh, and one Indian Christian or Anglo-Indian and that, as regards the portfolios, the most important of them would be equally divided between the Congress and the Muslim League, further details being left open for discussion.

"With the permission of the Viceroy I was authorised to state this formula to the Working Committee at Simla, on the assumption that the long-term proposals would be such as would be acceptable to us. Thereafter again, on the eve of the meeting of the Working Committee of the Muslim League, in my interview on June 3, the Viceroy repeated the same formula and authorised me to convey it to my Working Committee.

"This was one of the most important considerations which weighed with them together with the two statements of the Cabinet Delegation dated May 16 and May 25. The long-term plan and the interim government formula together formed one whole and this formula regarding the interim government was an integral part of the whole scheme and as such the Council of the All-India Muslim League gave its final decision on that basis on June 6.

"Thereafter, the Viceroy sent for me on June 13 and he suggested a formula of 5 : 5 : 3. Owing to the agitation set on foot by the Congress press and the opposition of the Congress to the original formula, I had already given a warning to the Viceroy in a letter on

June 2, that any departure from this formula, directly or indirectly, would lead to serious consequences and would not secure the co-operation of the Muslim League, and that I might have to call a meeting of the Council of the All-India Muslim League again.

"At my interview with the Viceroy on June 13, I was told by him that he wanted to change the basis of the original formula and proceed on the basis of five Congress, five Muslim League and three others *i.e.* one Sikh, one Scheduled Caste and one Indian Christian or Anglo-Indian. In spite of the difficulties that I had pointed out would arise, I informed the Viceroy that if the Congress were finally to agree to this new formula I would place it before my Working Committee for their consideration.

"But even this second proposal of the Viceroy was turned down by the Congress and His Excellency the Viceroy informed me by his letter dated June 15 that he had failed to negotiate an agreement on the basis which he has suggested and that the Cabinet Delegation and he had decided to issue their statement on June 16 on the action they proposed to take.

"Accordingly, the statement of June 16 was issued to the press and an advance copy was sent to me. The terms were, we were categorically informed, final and not open to any modification, except that the names in the statement could not be regarded as final, until the Viceroy had received acceptances from those invited to take office in the interim government.

"On June 19, I wrote to the Viceroy seeking certain clarifications regarding the statement of June 16, to which a reply was received from him on June 20 after he had consulted the Cabinet Delegation. The following extracts are from that letter of the Viceroy in reply to questions put to him:

(1) 'Until I have received the acceptance of those invited, to take office in the interim government, the names in the statement cannot be regarded as final. No change is proposed to be made in the statement without the consent of the two major parties.

(2) 'No change in the number of 14 members of the interim government will be made without agreement of the two major parties.

(3) 'If any vacancy occurs among the seats at present allotted to the representatives of the minorities, I shall naturally consult both the main parties for filling it.

(4) 'The proportion of the members by '*communities*' will not be changed without agreement of the two major parties.

(5) 'No decision on a major communal issue could be taken by the interim government if the majority of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.

"I had by my letter of June 19 informed the Viceroy that in view of the serious changes which had from time to time been made to satisfy the Congress, it was not possible for the Working Committee to arrive at any decision in the matter of formation of the interim government, so long as the Congress did not convey their final decision on the proposals of June 16 to the Viceroy and until it was communicated to me.

"It was finally arranged that the Congress should give their decision by Sunday, June 23, and the League should give its decision on the same day or immediately thereafter. The reply of the Congress was, however, not forthcoming till late in the evening on June 25, and

I was asked to meet the Cabinet Delegation and the Viceroy the same evening. There I was furnished with a copy of the letter of the President of the Congress dated June 25.

"According to the arrangement referred to above I placed this reply before my Working Committee immediately and the same day the Muslim League Working Committee adopted the following resolution which was communicated to His Excellency the Viceroy the same night:

"The President of the All-India Muslim League placed before the Working Committee, a copy furnished to him by the Viceroy and the Cabinet Delegation in the course of their interview with him this evening, of the letter of the Congress President addressed to the Viceroy, conveying the decision of the Congress with regard to the proposals of the Cabinet Delegation and the Viceroy contained in their statements of May 16 and June 16, 1946.

"According to the understanding that the Muslim League Working Committee will give their decision after the Congress has decided, and, as desired by the Viceroy by the letter of his Private Secretary dated June 21 addressed to the Honorary Secretary of the All-India Muslim League, Nawabzada Liaquat Ali Khan, that the decision of the Muslim League be communicated immediately after the reply of the Congress, the Working Committee of the All-India Muslim League hereby resolve to agree to join the interim government on the basis of the statement of the Cabinet Delegation and His Excellency the Viceroy dated June 16, 1946 and the clarifications and assurances given by the Viceroy after consultation with the Cabinet Delegation in his letter dated June 20, 1946, addressed to the President of the Muslim League.

"The Working Committee cannot accept the contention of the Congress contained in the aforesaid letter that the Congress is entitled to adhere to its interpretation of some of the provisions in the statement of the Cabinet Delegation and His Excellency the Viceroy dated May 16, 1946, which is opposed to the interpretation and explanation embodied in the statement issued by the Cabinet Delegation and the Viceroy on May 25, 1946.

"With regard to the rest of the letter of the Congress President, the Working Committee reserve their observation for the present.

"I regret that the Cabinet Delegation and the Viceroy should have thought fit to postpone indefinitely the formation of the interim government on the basis of their statement of June 16 as that statement clearly says that the Viceroy aimed at inaugurating the interim government about June 26. It is very difficult to see what are the mysterious reasons and causes for this sudden departure.

"The Muslim League emphatically disapproves of this action on the part of the Cabinet Delegation and the Viceroy, because all contingencies including rejection by the Congress were contemplated by and provided for in the statement of June 16 and clause 8 of the statement, taken along with the context, is quite clear and the delegation and the Viceroy were in honour bound to go ahead with the formation of the interim government immediately with those who were willing to come into the interim government on the basis and principles set out in their statement of June 16.

"As regards the resolution of the Congress, I most emphatically repudiate their bogus claim that they represent India and their claim to 'national' character. The Congress are a Hindu organisation and they do not

represent any other community except the Caste Hindus. They certainly do not represent the Muslims and the mere fact that they have a handful of Muslim henchmen for the purpose of window-dressing cannot give the national character which they claim, nor the right to represent India upon which they keep on harping.

"This has been established beyond doubt in the recent elections the results of which show that the Muslim League carried away 90 per cent of the total of Muslim seats in the various legislatures, and out of the remaining 10 per cent the Congress share does not amount to more than 4 per cent.

"The Congress, therefore, have no right to represent or speak on behalf of the Muslims and their refusal to accept the proposals for the formation of the interim government is based on sinister motives. Firstly, they wanted to break the parity between the Muslims and the Caste Hindus. It was accepted by them at Simla last year at the conference called by the Viceroy in connection with the Wavell proposals, and secondly, their insistence on nominating a Congress Muslim is aimed at striking at the fundamentals of the League and its Muslim national representative character and at attempting to establish a false claim that the Congress represents the Muslims and the Muslim League is not the representative organisation of Muslim India.

"As it is pointed out above, the Congress claim is not true nor based upon facts and therefore the Muslim League cannot be a party directly or indirectly to any course of action which is calculated to prop up this bogus claim.

"As regards the safeguard that no decision on any major communal issue could be taken if the majority of the main parties were opposed to it, of which assurance was given by the Viceroy, I say this is absolutely

necessary to protect the Muslim interests as the number is now increased from 12 to 14, and although there is parity between the Caste Hindus and the Muslims, the Muslims will be in a minority of little over one-third in the whole executive.

" I gather from the letter of the President of the Congress that the Viceroy represented to him that in his proposal there was no parity either between Hindus and Muslims or between the Congress and the Muslim League inasmuch as there were to be six Hindus belonging to the Congress as against five Muslims belonging to the Muslim League. One of the six Hindus belonged to the Scheduled Caste.

" Whether this version is true or not, it is contrary to what the Viceroy said in his letter of June 20 to me which clarifies the points raised by me and in that he says. 'The proportion of members by communities will not be changed without the agreement of the two major parties.' However, I want to make it clear that if there is any departure made in the principle of parity or if the Congress is allowed to nominate a Muslim, in either case it will be impossible for the Muslim League to agree to it as that would strike at the very fundamentals of the League.

" Notwithstanding the clear statement of May 16 and the further statement of the Cabinet Delegation and the Viceroy of May 25, clarifying and finally giving their authoritative interpretation, the Congress, both in the letter of the President and their resolution adhere to their wrong interpretation that any province or provinces is or are entitled to opt out initially and that have a right at any stage to do so.

" This is a clear indication that the Congress is not accepting the long-term proposals in a sincere and honest spirit of co-operation and peaceful settlement

If they persist in this and adopt measures to set at nought what is described by the statement of the delegation of May 25, to constitute the essential feature of the scheme the whole plan will be wrecked at its very inception.

" As regards the many other statements and allegations that are made in the letter of the Congress President, they are merely intended for propaganda and some of them are not relevant to the immediate issues, but I have no means of dealing with them as I do not know what actually took place between the Congress President and the Viceroy or the delegation as I have not got the correspondence that passed between them on various points to which references have been made in this letter.

" In conclusion I would like to emphasise that if any attempt is made to whittle down in any way the assurances given to the Muslim League or to change or modify the basis of the statement of June 16, which has been accepted by the Muslim League, it will be regarded by Muslim India as going back on the part of the Cabinet Delegation and the Viceroy on their pledged word in writing and as a breach of faith. The British Government will in that case forfeit the confidence of Muslim India and of those whom they expect to work, on their part, according to their pledged word."

This postponement of the formation of an interim government was even resented by the *Statesman*, the only British paper in India.

This paper wrote two editorials—first on June 29 under the caption 'A Descent' and second on July 2 under the headline 'Assessment'—on the Mission's decision to postpone the formation of an interim government. Both are reproduced below.

A Descent

We record, with regret, that we consider the British Cabinet Mission's and the Viceroy's latest move an error. It is well intentioned. If detached from its chronological sequence and context it might, to meet the existing position, be a suitable enough expedient. Indeed, so viewed, it even shows advantageous possibilities of a transient sort; for plainly, Congress-League disagreements being what they still unfortunately are, a League-dominated Central Government, in relation to Congress-dominated Provincial Governments might not prove much of a remedy for India's many present administrative ills. But it cannot be so detached. The context exists, plain and recent, for all to read. On June 16, in paragraph (8) of their statement, the Mission and the Viceroy declared that, "in the event of the two major parties, or either of them, proving unwilling to join in the setting up of a coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of the interim government which will be as representative as possible of those willing to accept the statement of May 16."

This declaration's direct bearing on the existing position is unmistakable, unavoidable. The Muslim League having on June 6 accepted the proposals made for an interim government in the May 16 plan, and having reiterated its acceptance lately, the Congress by contrast having rejected them, we fail to see any other conclusion than that the Viceroy stood morally bound at this stage to form forthwith an interim government consisting largely of members of the Muslim League. There had been several earlier authoritative assertions of India's imperative need, because of the threat of famine and other grave administrative problems, for speedy establishment of a representative interim government at the Centre. The language of the passing

reference now made, in Wednesday night's announcement by Mission and Viceroy, to paragraph (8) of their June 16 declaration and its clear commitment, seems to us, we are sorry to say, evasive and disingenuous.

Politicians may do so, but it is not the business of statesmen to eat their words; they should not risk bold, sweeping, unequivocal public undertakings unless they mean them, and can be relied upon to fulfil them. Particularly, we suggest, it is not British statesmen's business to do so in India, an alien land still of semi-dependent status. What was so emphatically considered needful and proper on June 16 cannot well, within ten days, have radically transformed its nature. Good and bad, necessary and unnecessary, are not thus readily interchangeable.

Our writings, we think, have shown lively and wholehearted awareness of the unparalleled difficulties confronting the Mission and the Viceroy throughout, of their exemplary patience, of the exceptional mental and physical stresses that they must lately have borne. Could we believe that what they have now done has sound moral basis, or even that, in the narrower sense, it was required because it would be justified by results, we might commend it. But we view the long-term consequences of Wednesday night's decision with uncertainty and misgiving. Opportunity of solid and immediate co-operation, from at any rate one of India's two main parties, lay within the Mission's grasp. This has been let slip in favour of larger objectives later aimed at. We wish we could see more cause for confidence that these will not, when the time comes, dissolve between the fingers into windy nothingness. During the long-drawn out Delhi-Simla negotiations there have already been too many tactical shifts of ground and changes of front by others. It grieves us that a venerable and idealistic Secretary of State, a fine Viceroy,

and their two eminent colleagues of Britain's new and good Cabinet should at this last stage have descended—as we see matters—to similar swithery courses.

Assessment

From the Cabinet Mission's three month's visit, and the semi-refusal of one of India's two main parties to accept its various offers or suggestions, two main practical results emerge. The first is bizarre, retrograde; anyone prophesying it at the negotiation's outset would have been mocked. The Mission came to facilitate Indian self-government. For more than two decades this country's Central executive has included Indian non-officials from public life. Latterly these much preponderated in number. Now, however, for an undefined period, it reverts to archetype, to the Morley-Minto model of about thirty-five years ago. The I.C.S. mans it wholly, and its Indian component suffers sharp pruning. Of the personnel of the new "Caretaker" Government announced on Saturday, eighty per cent are British.

Here is anarchronism indeed—the first curious sequel of the lamentable half no, half yes finally emitted in response to the Mission's proposals by the Congress Party on June 24-25. By contrast the second result is no retrogression, but an advance—up to a point. Pent-up political energies, which, had the Mission not come, must by now have entered destructive courses leading inevitably to bloodshed, civil war and chaos, are in some measure switched to constitution-making fields. During coming weeks the elections to the Constituent Assembly may preoccupy many. But there is this qualifying point to observe. The Mission, as remarked, came to India to help her to rule herself. An interim government at the Centre representing political parties, had one been formed, would have been a substantial

instrument of self-rule. The Constituent Assembly, however, will be a thing of less substance, be *per se* but an opportunity for talk—though leading, we hope, to agreed arrangements on a larger scale for self-rule later.

Also emerging from the Mission's visit, besides the above obvious products of mixed quality, are items of a less ponderable sort—the sort which may be termed moral. Three days ago, with profound regret, we felt obliged to write roughly of the announcement by the Mission and the Viceroy on June 26. We could not square it with paragraph 8 of their announcement of only ten days before. It seemed a descent from the high level of political ethics so admirably maintained by them amidst perplexities since arrival. We contended that they had repudiated public undertakings recently given; that they had eaten their words. Those words were that if "the major parties, or either of them," proved unwilling to set up a coalition Government on the lines proposed, the Viceroy would "proceed with the formation of the interim government which will be as representative as possible of those willing to accept the statement of May 16." This had conveyed to us, and many others, only one meaning: that if the Congress rejected and the League accepted the offer to participate in a new Central Government, the League would forthwith become the main component of that Government. Mission and Viceroy evidently interpret the paragraph differently, and we must suppose with sincerity, for to the charge of ill faith made by Mr. Jinnah, the Viceroy, on the Mission's behalf and his own, has replied with pained indignation. We have read his letters with bewilderment, but infer that the difference of interpretation springs from the Congress having accepted the long-term part of the May 16 plan.

On the details of what pressed, orally as well as in writing, between Mission and Viceroy on one side,

and the Muslim League leader on the other, no newspaper is competent to pronounce opinion. What concerns us is the effect of the affair on the popular mind. If—which seems odd—the likelihood was never realised, when paragraph 8 of the June 16 announcement was drafted, that it would be widely taken to mean what many supposed then, at any rate, authority must have had ample evidence, before June 26, from public statements and press commentary, of what the prevailing interpretation put it was. In that case the grave psychological consequences should, we judge, have been forestalled. We find difficulty in believing that the Mission and its able staff never envisaged, and took mental preparations against, what actually befell : that one of India's two main parties might accept their proposals as a whole, while the other rejected the short-term, and accepted the long-term part.

Whatever the origin of the misconception, here, plainly, is a major moral issue, a matter of trust, involving Britain's fair name. Nor, as we see matters, is it the only one which will need urgently clarifying, from London or New Delhi, as soon as the present natural phase of exhaustion ends. In the Mission's interests, credit is being claimed in Britain that, regrettable though the temporary failure to form a representative interim government admittedly is, there exists at least this substantial achievement : that both the big Indian parties have accepted the plan for constitution making. Though superficially justified, the claim at present rests, we feel, on a moral quicksand. India's most important party, the Congress, in accepting the long-term part of the May 16 plan, did so—unless we misconstrue the complex text on the continued assumption that the plan means something which the Mission, on May 25, declared that it did not. In this, if our deduction is right, and amidst so much verbiage it is difficult to pick the way, there manifestly lurks grave

danger of a yet larger field of tripartite misunderstanding.

More than 25 years ago, amidst the stresses of World War I, the British people, through their representatives, were involved in a dilemma which has since been insoluble, and proved an incessant nagging perplexity. Mutually contradictory obligations of honour were given—or were genuinely and arguably held to have been given, which is as awkward—to two separate peoples. Palestine, by comparison with India, is very small; but the problems raised by those conflicting promises to Arab and Jew of a generation ago have girdled the globe. We fear that, unless great care is now exercised, and speedy clarification provided for, an analogous intractable moral deadlock may result from happenings during the concluding torrid and anxious days of the British Cabinet Mission's stay in New Delhi, when nerves must very naturally have been somewhat frayed, and judgment perhaps not at its clearest.

Expressing his astonishment at the Cabinet Delegation's announcement Sir Arthur Moore, a former editor of the *Statesman*, said to a representative of *Dawn* on June 26:

"This won't do. A government of caretakers as the answer to self-government makes nonsense. As well call it a government of undertakers. What can the Mission be thinking about, and what more important business can a Secretary of State for India have in London than to redeem our promises to India in India?

"The Congress has been thinking too much about its own prestige and too little about India. Over and over again it has said it would accept any Indian Government for the sake of freedom. Now it has the chance not only of freedom but of unity, because the Muslim

League, realising that in the atomic age the sovereign State is a dead conception, has wisely dropped its claim for a sovereign State and wants a Pakistan within a federal India.

"That is the natural ultimate guarantee for a race or a religion, namely, to have somewhere a cultural homeland of its own. The Congress should rejoice in this acceptance of federation, and offer to serve. They have brilliant men whom the country needs.

"The root trouble is still our British unwillingness to part with power. We magnify a burden of responsibility that we took upon ourselves because it paid us well and that has long over-irked our unwilling wards. Let Mr. Jinnah be asked to form a purely Indian Government and to choose his own colleagues. His first thought will be to get as many Congressmen as he can to co-operate with him. Indian rancour is sometimes fierce, but rarely deep. Jinnah and Jawaharlal teamed together would soon recognise each other's qualities and bless each other's work.

"The youth of India are today bitterly disappointed. The hungry sheep look up, and it is high time that they were fed."

Nawabzada Liaquat Ali Khan issued the following statement to the press:

"The interpretation which has been put by the Cabinet Delegation and the Viceroy on Clause 8 of their statement of June 16 regarding the formation of the interim government is worthy of a pettifogging lawyer and not that of three responsible members of His Majesty's Government and the representative of the Crown in India.

"A careful study of the statement and the correspondence which took place between the Muslim League

President and the Viceroy will convince every fair-minded person that the charge which Mr. Jinnah has levelled against the delegation and the Viceroy, of going back on their word is fully justified.

"There is not the slightest doubt that the Cabinet Ministers and the Viceroy have eaten their words and are guilty of breaking their pledges which they had given to the Muslim League, in order to placate the Congress. It cannot be very edifying for Great Britain that its responsible statesmen have within ten days treated their solemn declaration and written pledges as a mere scrap of paper. It is bound to shake the faith of the people in the word and pledges of British statesmen.

" A perusal of the correspondence between the Congress and the delegation and the Viceroy since the negotiations were started clearly shows that the Congress has not budged an inch from the position that it took up from the beginning and has not shown any spirit of compromise on any point. Even the acceptance of the long-term scheme by the Congress, with its own interpretation of some of the vital provisions of the statement of May 16, especially of the grouping of the provinces in which it still persists, even after the authoritative explanation and interpretation by the Cabinet Delegation in their statement of May 25, is in fact a rejection of the scheme embodied in the delegation's statement of May 16.

"The Congress by accepting the long-term plan has without doubt accepted the formation of Sections A, B and C of the Constituent Assembly on the basis of Muslim representation as a separate nationality where Muslims can only be elected to the Constituent Assembly by Muslims alone. How is this compatible with the much advertised national character of the Congress. Yet in the interim government there is

the bogey that if the Congress does not have a Muslim of its own choice its national character will be destroyed. It clearly shows that it is a sinister move on the part of the Congress to humiliate the Muslim League and disrupt Muslims. Further, why does it not claim to nominate the representatives of all the other communities as well in the interim government?

"As against this attitude of the Congress, the Muslim League has at every stage of negotiations shown an attitude of reasonableness and accommodation.

"In view of the betrayal of the Muslims by the Cabinet Delegation and the Viceroy I wish to give a timely warning to His Majesty's Government not to be under the delusion that the reasonableness shown by the Muslim League during these negotiations is to be taken as a sign of its weakness. It has been our earnest desire throughout to find a peaceful solution of the Indian problem. We have tried our best to avoid a struggle but if it is thrust on us we shall face it with courage and determination. If it is only the shedding of blood which convinces the British Government, Muslims will not hesitate to resort to that course, if forced into it, to protect their honour and save themselves from annihilation.

"I ask the Muslims to be prepared and ready. We want peace with honour, but if there is to be war we shall accept the challenge."

Maulana Abul Kalam Azad, President of the All-India Congress, reviewed the whole course of negotiations in a 1000-word statement.

The full text of the statement is as follows:

"In our prolonged negotiations with the Cabinet Delegation and the Viceroy, my colleagues and I have throughout been guided by one governing principle. It

was the achievement of Indian independence and the solution of all outstanding problems by methods of peaceful negotiations.

"Such methods have both their advantages and their limitations. Independence achieved through violence and conflict may be more spectacular but entails endless sufferings and bloodshed and leaves behind a heritage of bitterness and hatred. Peaceful methods leave no bitter trail but neither are the results so spectacular as in a violent revolution.

"The present negotiations have, therefore, to be judged from this standard Keeping in mind the method chosen and the peculiar nature of our problems, dispassionate observers will be forced to admit that though all our hopes have not been fulfilled, the results mark a decisive step forward towards the attainment of our goal.

"After searching discussion and analysis, this is the conclusion reached by the Congress Working Committee, and they have accordingly accepted the long-term proposals.

"As I have explained in my statement of the 14th April, 1946, the Congress scheme for the solution of India's political and constitutional problem rested upon two fundamental bases. The Congress held that in the peculiar circumstances of India, a limited but organic and powerful centre confined to certain basic subjects was inevitable.

"A unitary government could no more meet the requirements of the case than a division of India into several independent States. A second fundamental principle was the recognition of the complete autonomy of the provinces with all residuary powers vested in them.

"Congress held that the provinces would administer all excepting the basic central subjects. From the nature of the case, it would be open to the provinces to delegate to the centre such other subjects as they chose. It is an open secret that the Cabinet Mission's long-term proposals are framed according to the principles laid down in the Congress scheme.

"A question about the implication of provincial autonomy was raised during the recent Simla Conference. It was asked that if provinces were fully autonomous, did not two or more of them have the right, if they chose, of setting up inter-provincial machinery for administering such subjects as they allocated to it.

"The declared views of the Congress on the question of provincial autonomy did not permit a denial of the force in the contention. My correspondence during the Simla Conference has already been released and given to the public a clear exposition of the Congress views on the question.

"The only novel feature in the Cabinet Mission's scheme is the idea of grouping the provinces into three different sections. As soon as the Constituent Assembly meets, it will, according to the proposals of the Cabinet Mission, divide itself into three Committees. Each Committee will be composed of members from provinces in the appropriate section and will together decide whether to form a group or not.

"Section 15 of the Cabinet proposals have clearly recognised the rights of provinces to form groups or not. The Cabinet Mission intend that the provinces should exercise this right at a particular stage.

"The Congress Working Committee hold that whatever the intention of the Cabinet Mission, the statement of 16th May does not bear such interpretation.

They hold that the provinces are fully autonomous and have the right to decide the question at any stage they like. Section 15 and the general spirit of the proposals support the Congress interpretation.

"The provinces have the right to decide either at the very beginning before the group constitution has been framed at all or at the end after they have examined the group constitution as it has emerged from the Committee of the Constituent Assembly.

"I am convinced that the Congress interpretation cannot be challenged. If a province decides to remain outside the group from the very beginning, it cannot be compelled to come in.

"There is the problem of Europeans in Assam and Bengal. The Cabinet Mission's proposals have done away with weightage to representation and have clearly laid down that there is to be one representative for every million of the population. This automatically rules the Europeans out of the picture. Once the weightage is discarded, they have no right to any representation at all on the basis of population.

"It is in the interests of Europeans themselves to refrain from seeking election or participating in the voting.

"I am confident that the Europeans in Bengal and Assam will act with wisdom and statesmanship. Since the Europeans in Bengal have already decided to refrain from participation in the elections to the Constituent Assembly, I trust that the Europeans in Assam will follow their example.

"It must, however, be admitted that one grave flaw in this picture is the delay in the formation of a provisional national government. Such a provisional government alone can provide the atmosphere in which

the Constitutional Assembly can function with a sense of full freedom and authority. Their mutual interactions are so intimate, that each would suffer in the absence of the other.

"I earnestly hope that this lacuna in the settlement will be filled and a representative and powerful provisional government soon set up.

"In assessing the results of the negotiations, we must not forget that the two main objectives of the Congress have been the freedom and the unity of India. The Congress stand has been vindicated on both these points. The constitution-making body will be a purely Indian assembly, elected by Indian votes alone.

"It will have the unfettered right to shape India's future constitution and decide our relations with the British Commonwealth and the rest of the world. And this sovereign Constituent Assembly will legislate not for a divided but for a united India. All schemes of partition of India have been rejected once and for all. The Union centre may be limited, but it will be powerful and organic and will integrate into one harmonious whole the many provincial, linguistic and cultural diversities which characterise contemporary India."

CHAPTER XI

A-I. C. C. RATIFIES WORKING COMMITTEE'S RESOLUTION

The All-India Congress Committee ratified the Working Committee's resolution of June 26 by an overwhelming majority.

Moving the resolution Maulana Abul Kalam Azad, former President of the Congress, declared that the Mission had conceded what Congress had been demanding for years—the right to summon a Constituent Assembly to frame a constitution for India.

He said, "The way discussion on the Working Committee's resolution has been going on in the country makes me feel that people seem to have forgotten the question that the Working Committee was faced with. The Committee had either to accept or reject certain proposals placed before it. It had to be guided by what Congress had been demanding all these years. Congress had demanded that India must have the right to chalk out her own future and frame her own constitution. For many years the British Government were not prepared to accept this demand, but circumstances had now forced the British Government to agree to India's fundamental demand of summoning a Constituent Assembly for the purpose of framing a constitution for a free and independent India.

"The Cabinet Mission's proposals contained in the State Paper issued on May 16, gave us this right to summon a Constituent Assembly to frame our own constitution. This is what we have been demanding all

these years. What will be our position, if we refuse that offer? If we refused the offer, there would be no meaning to our demand. The thing that we have been asking for for years has been granted and we have now to work our own way. Therefore the Committee had no choice. It had to accept the offer so long as the Committee felt convinced that it would lead the country to the end Congress had before it.

"The plan envisaged by the Cabinet Mission consists of two aspects, political and communal. As far as the political implications of the proposals are concerned, it is made clear that the Constituent Assembly will have the fullest right to frame a constitution for a free and independent India and such a constitution will be accepted by the British Government. We have been given freedom to decide whether we wish to remain within the British Empire or be completely independent. It is for us to decide this vital question and the British Government does not wish to dictate to us in this respect as they have hitherto been doing.

"In my first interview with the Cabinet Mission I made it absolutely clear to the delegation that the Constituent Assembly we wished to summon should have unfettered freedom to frame a constitution for a free and independent India. The British Government accepted this demand and has made it clear that the freedom of India is not under question and it has been granted without any question. Why then should we raise doubts in the face of such unequivocal declarations by the British Government?

"The Cabinet Mission's proposals also have once and for all cleared all doubts about the question of the division of India. These proposals made it clear beyond a shadow of doubt that India shall remain undivided, a single unit with a strong Central Government composed of federating units.

"Our main demands having thus been accepted by the Cabinet Delegation, you will agree that the Working Committee had to accept the proposals after pointing out the defects in them. This is what the Working Committee has done by its resolution of June 26. My answer to those critics who say that we should not have accepted this proposal is that if we rejected this proposal, it might not have been possible in the future to secure a proposal acceptable to us.

"For some time now Congress had been convinced that a completely unitary form of Central Government was unsuited for India as it is impracticable. Congress had also felt convinced that a division of India as demanded by the Muslim League would prove disastrous to the country. Congress had, therefore, decided to pursue a middle course. That is the reason why they recommended a federal form of Centre with maximum autonomy to the federating units, including residuary powers. This helps to keep India undivided, at the same time ensuring the utmost autonomy to units to develop themselves individually and freely to the maximum extent."

Addressing the Committee, Mr. Gandhi said, "As *satyagrahis* we have no right to say that the British are dishonest. How can we say that? There are good and bad people in all countries. We quarrelled among ourselves in the past, and, therefore, the British, who came as traders to this country, established themselves as our rulers. We have been fighting them as our rulers, not because the British people are dishonest or bad but because they have no right to rule over us. They have now told us that they are ready to quit. Our task now is to see how their quitting can be smooth and peaceful."

Referring to the 1942 struggle, Mr. Gandhi said that many things which did not form part of the Con-

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Referring to the 1942 struggle, Mr. Gandhi said that many things which did not form part of the Con-

gress programme, such as underground activities, cutting of telegraph wires and removal of rails, had happened. The people showed great courage and bravery but, in his opinion, this was a wrong way of showing bravery.

He continued: "These things are not going to carry us any nearer our goal. If non-violence is abandoned, it will not take us any farther on our road to freedom. True non-violence alone can take us to our goal.

"I agree there has been a great awakening in the country, but I, as a true *satyagrahi*, am anxious to prevent such an awakening resulting in the derailment of trains and other forms of violence. I am anxious to utilise the new awakening to speed our march to freedom. The time for rest and ease has not yet come. We have still to go through difficulties and put up with discomforts. I am sure we are still capable of going through difficulties, and, therefore, I do not see any reason why we should be afraid of going into the Constituent Assembly.

"I know that there are many defects in the Constituent Assembly scheme, but then it is in your power to improve it or to bury it. The Constituent Assembly scheme looks like iron ore. We can convert it into pure gold by our efforts. Whatever loopholes there are can be remedied. My advice to you is to accept the scheme, in spite of its defects. I feel that the scheme is capable of improvement and, therefore, I urge you to accept it.

"We have asked the British to quit India. This does not mean that we wish to ill-treat them. We want the British to quit honourably and smoothly. The Constituent Assembly proposal is to enable us to make the British quit India. I know it is a British-sponsored scheme, but the British have said that they

have done it with an open mind and without any reservation to enable Indians to frame their own constitution for a free and independent India."

Mr. Jai Prakash Narain, leader of the Congress Socialist Party, opposing the resolution said that the proposed Constituent Assembly would not secure *swaraj* for the people of India. The "Quit India" movement of 1942 had been launched to rid India of British imperial power, but that struggle did not achieve its end though it released new forces which had taken the country far towards its goal. The question today before the country was not whether to accept the so-called Constituent Assembly scheme sponsored by British imperialism but how to utilise the new forces to drive the British out of India.

The Cabinet Mission had not come to grant freedom to India but to play the mediator between the Congress and the Muslim League. The British had created the so-called differences and they were still trying to exploit them. The Muslim League might have a large following among Muslims of India today, but the League was still the ally and friend of the British. The Cabinet Mission was asking the Congress to swallow its principles and compromise with the League whose leader in 1942 unashamedly declared that the "Quit India" movement was not against the British but against the Muslims to perpetuate Hindu domination. How could the Congress settle with such a leader ?

He said, "I feel confident that the Congress can break the League's hold on Muslims by going direct to the Muslim masses. Instead of making this direct approach we are trying to negotiate with the leaders of the Muslim League whom we know to be the friends of our enemies. I am glad the Working Committee turned down the proposal for the interim government.

"I feel that acceptance of the Constituent Assembly scheme also foreshadows danger. The Constituent

Assembly proposed by the British is far from our original idea which was given to us by Pandit Nehru. This Constituent Assembly is the creation of the British and it can never bring us the freedom that we have been fighting for. The British Government may promise to accept the constitution drawn up by the Constituent Assembly, but then the British Government themselves will pull wires in such a manner as not to allow us to frame a constitution that we all desire for a free and independent India. Whenever a difference of opinion arises between the Congress and the League in the Constituent Assembly, and differences are bound to arise, then we will have to go to the British Government for a solution. And do you think we can expect fair-play from the British in such a situation? If on the contrary, the Constituent Assembly is the outcome of the strength of the people we can solve all our difficulties by an appeal to our people.

"I am aware that all these and other defects must have been considered by the Working Committee before it came to a final decision. But I see no reason why we should accept such a defective proposal, knowing the pitfalls in advance and also knowing our own real strength. A Constituent Assembly can succeed only if it works in a free atmosphere and there can be no free atmosphere in India so long as British Power remains and British troops continue to be stationed in India.

"The only thing we can do is to tell the British Government that we do not want such a restricted and curbed Constituent Assembly. We shall weaken ourselves if we accept the British Government's proposals. Acceptance of office in the provinces has weakened us considerably. If we accept these proposals we shall further weaken ourselves. There is only one way open to us and that is to strengthen the Congress organisation and, when we are sure of our own inherent strength,

start a fight with the British Government, compel them to quit India and make them understand that they have to transfer power and that can be done only by negotiating with Congress.

"I wish to make it clear that I am not opposing the Working Committee's decision merely to discredit the Working Committee, but I honestly feel that their decision is wrong and, therefore, it should not be approved. The All-India Congress Committee has a chance of righting that mistake and that opportunity should not be missed "

Mrs. Aruna Asaf Ali, opposing the resolution said that the policy of the Working Committee since the release of its members had been out of tune with the spirit of the "Quit India" resolution. British power could only be overcome by a physical struggle and not by parleys and negotiations. Power to the people must come through their own struggle and strength.

If a referendum were taken today, people would resent the present policy of the Congress High Command as it was one of co-operation with the British. The Congress acceptance of the Constituent Assembly scheme was a triumph for British post-war political plans.

Realising that their old method of repression could no longer succeed in the changed circumstances of today, the British had changed their strategy but they had not changed their hearts. The Working Committee had by its decision reduced itself to the status of the Muslim League, which was the most reactionary political block in India. The Congress demand for an interim government had still to be met. The Constituent Assembly suggested was not acceptable to the people, because it was being summoned by the British Power before the people had captured the citadel of power.

Addressing Mr. Gandhi the speaker said: "We have listened to you and obeyed you all these years. You must now listen to us and it is your duty to obey us."

Maulana Abul Kalam Azad dealt with the various criticisms made against the resolution by those who opposed the resolution. He said many of the opposition speakers had stated that the British Government were responsible for sponsoring the Constituent Assembly. This was utterly wrong.

"No one can say," declared the Maulana, "that the British Government sent the Cabinet Mission to India to offer us the Constituent Assembly as a free gift. We have secured the Constituent Assembly as a result of our struggle and sacrifices during the past 50 years.

"The British people and their Labour Government have realised that we the people of India are determined to have our freedom and nothing on earth can prevent us from achieving our goal. The British Government had, therefore, to make up their mind whether they should transfer power peacefully and quit, or allow us to take it forcibly. They have chosen the wiser course.

"I am unable to agree with those who say that by going into the Constituent Assembly we shall be weakening the Congress organisation. Whatever difficulties may stand in our way we will overcome them. We will not in any event sacrifice any of our fundamental principles. If unfortunately any insuperable difficulties crop up in direct conflict with our fundamental principles, we shall not hesitate to kill the Constituent Assembly.

"The opposition speakers have exhibited a fear complex—a vague fear of the unknown. I ask if there

is any problem which has no difficulties inherent in it. It is no use approaching any problem with a fear complex. If we do this we shall not be able to achieve anything at all.

"In the proposed Constituent Assembly the Congress will have a definite majority and in spite of this we have fears as to how we are going to settle the fate of the country. We have won our struggle for freedom through sacrifices and suffering, and I ask you now not to falter and fritter away the fruits of victory by adopting a gloomy outlook and a fear complex.

"The Congress has never departed from its fundamental principle. We have always sworn by it. We made it clear to the British Government even before the Cabinet Mission was sent to India that they should either give us our freedom or face a struggle. We were then told that we were indulging in threats, but we made it clear that it was wrong of the British Government to regard it as mere threat. Against this background we started the Delhi negotiations.

"It has been argued that the Central Government will not be a strong one unless it has within its fold economic relations and finance. These questions will be settled by the Constituent Assembly. I do agree that the Central Government can never be effective unless it has the means to support itself. The Congress will never tolerate a weak Centre.

"I want to make it clear that those who say that the Constituent Assembly is a trap are making a great mistake. There is no question of the Constituent Assembly being a trap. We asked for a Constituent Assembly to frame a constitution for a free and independent India and the Cabinet Mission agreed to our demand. How then can anyone call it a trap?

"I want to emphasise that by accepti g the Constituent Assembly proposal we shall lay at rest one of the longest standing communal problems. The Muslim League has been demanding all these years the division of India into Hindustan and Pakistan and two separate constituent assemblies to draw up separate constitutions. Both these things have been abandoned by the Muslim League by its acceptance of the Cabinet Mission's proposal of May 16. The result of this proposal is that there shall be one united India and one Constituent Assembly with one Central Government.

"I ask if this is not a great achievement. If you reject the Constituent Assembly as the opposition wants you to do, I ask if we shall not be adding to our problems and quarrels. Victory has come into our hands; please, do not turn it into defeat. (Cheers.) The door to the Constituent Assembly is open to enable us to draw up our own constitution. Please enter it and complete our task of framing our own constitution."

The resolution was then put to the vote. 204 members voted in favour of it and 51 against it. It was then declared carried amidst applause.

Pandit Jawaharlal Nehru, President of the Congress, winding up the proceedings, answered some of the criticisms of the opposition speakers.

He said: "We have been talking of independence for a long time. Different interpretations are given of what that independence means. The Viceroy and the Muslim League also speak of the independence of India. But the Congress idea of independence is certainly different from that of the Muslim League and the Viceroy.

"Our idea of independence is that there must be absolutely no foreign domination in India, and India may even break her connections with the British. We want to establish a republic of India.

"Achyut Patwardhan expressed surprise how foreign affairs could be carried on without foreign trade. The surprise was perfectly legitimate.

"It is obvious so far as I am concerned that foreign affairs include foreign trade. It is quite absurd to talk of foreign affairs without foreign trade, foreign economic policy, exchange and so on.

"As regards defence and communications, obviously they include all manner of things connected with defence. Defence must include a large number of industries. Apart form foreign affairs, defence and communications the Union Centre will have power to raise finance. This means the Union Centre will control certain revenue producing subjects. I cannot say offhand what these revenue-producing subjects will be. It is inevitable that a decision will have to be made as to what revenue-producing subjects go to the Centre. Presumably the obvious subjects are customs, including tariffs, and may be income-tax also.

"Arguments have been advanced on the one side that this is a very satisfactory Constituent Assembly—something that we have been asking for and we have got. On the other hand it has been stated that this Constituent Assembly is a futile thing imposed upon us and to which we should not attach much importance. If I am asked to give my own point of view I would say it is not obviously something which we have desired and worked for. There are many difficulties and snags, and the scales are weighted against us. On the other hand it is obvious also that it is not so bad.

"What will be the outcome of this Assembly? It may be that it does not function for long; it breaks up. It may be we may get something out of it, and we go ahead and produce some kind of a constitution which is desirable and workable.

"All these things are possible, but it seems to me rather fantastic for the Cabinet Mission to tell us that after ten years we are going to do this or that, it is fantastic and I cannot imagine anybody laying down any rule for India ten years hence. When India is free India will do just what she likes.

"I do think that some time or other in the future we may have to summon our own proper revolutionary Constituent Assembly. That does not mean we should not take advantage of this and work it out for our own advantage. If we do not succeed in the Constituent Assembly, we will change our tactics to suit whatever form we want to do.

"There is a good deal of talk of Cabinet Mission's long-term plan and short-term plan. So far as I can see it is not a question of our accepting any plan, long or short. It is only a question of our agreement to go into the Constituent Assembly. That is all. And nothing more than that. We will remain in that Assembly so long as we think it is good to India and we will come out when we think it is injuring our cause. We are not bound by a single thing, except that we have decided for the moment to go to the Constituent Assembly not certainly to deliver fine speeches but to build something to overcome some of our problems.

"As the discussion in the House is about the proposed Constituent Assembly, I am reminded of other constituent assemblies. Perhaps the comparison is not justified. About 157 years ago a Constituent Assembly called the 'States General' was called in France. It was convened by the King of France himself. He was an autocratic and foolish king and he soon got into trouble with that Assembly and ultimately within a few years the head of that king was cut off.

"India, of course, would not cut off other people's heads."

Pandit Nehru expressed his pleasure at the two woman members one of whom, he said, made a fiery speech. He said that that was indicative of the temper of Indian womanhood. He urged that more and more opportunities should be given to Indian women to participate in our public life.

CHAPTER XII

CRIPPS' STATEMENT IN THE HOUSE OF COMMONS

On June 18, Sir Stafford Cripps made a statement in the House of Commons on the Cabinet Mission's work in India.

The following is the full text of Sir Stafford Cripps' statement:

"The issue of 'one or two Indias' had been bitterly contested at the elections and the two major parties, the Congress and the Muslim League, had each of them almost swept the board in their respective constituencies"

"To some extent, perhaps, this outstanding success of the two major parties simplified the matter, because the smaller parties had been relegated to the background by the electorate but, on the other hand, it had, of course, reinforced the two major parties in their directly opposed policies.

"The House must, I am sure, be fully conscious of the fact that the circumstances of the spring of 1946 were vastly different from those of 1942, or 1939.

"India has shared to the full in the political awakening which is evident all over the world after the war and nowhere perhaps more than in the Far East.

"Pressures which were sufficiently in evidence, before the war and during the war have become greatly accentuated and what might have been considered a reasonable speed of progress before the war would now be regarded as dilatory and inadequate.

"I have always personally believed that our best hope of maintaining the valued friendship and co-operation of the Indian people was to offer them their full and untrammelled freedom as to their own future and to help them to the best of our ability to achieve their desires as smoothly and quickly as possible.

"There is no doubt whatever that since, at any rate, the early months of this year no other approach than this would have had any chance of success at all.

"When the Mission first arrived in New Delhi the atmosphere for agreement between the parties was not propitious.

"We found a highly-charged political atmosphere resulting from the elections which were still in progress in some of the provinces and a deep suspicion that somehow or other our object would be to delay and frustrate the hopes of Indian independence.

"There was another factor which had an influence, and that was the weather.

"Summer in New Delhi is not the best time for negotiations. Excessive heat and, latterly, in June dampness make it difficult for all parties to maintain that atmosphere of calm and patient deliberation which is so essential in dealing with such complex negotiations.

"Perhaps the House will permit me in this association to pay a very real and sincere tribute to the noble Lord who presided over our Mission and whose calm, patient and determined conduct of the negotiations was so largely responsible for the results that we are able to report."

Speaking of the initial month of the negotiations and the formal interviews with all communities, sections

and individuals, Sir Stafford said: "There was some criticism of the time we spent upon these interviews but we were all convinced that they were well worth while and they certainly enabled us to appreciate the feelings and desires—vastly differing desires—of the very diverse population of 400,000,000 people with whose representatives we were dealing."

"Before leaving New Delhi for a four-day holiday inKashmir the Mission indicated their hope that the two principal parties might come together for negotiation during their absence.

"Immediately upon our return, finding that nothing further had transpired, we set ourselves the task of bringing together the Muslim League and the Congress.

"We were determined not to lose any opportunity of reaching an agreement.

"Apart from the difficulty of arriving at a common view as to the form of the Constituent Assembly and the composition of the interim government there was in these initial stages a wide difference of approach on the part of the two parties.

"The Congress held strongly that the question of the interim government should first be settled after which a settlement as to the Constituent Assembly should follow.

"The Muslim League on the other hand were equally firm that they could not discuss the composition of the interim government until the longer-term question associated with the setting up of the constitution-making machinery had been settled.

"It was not practicable to obtain a settlement of both questions simultaneously and we came to the

conclusion that the best chance of ultimate agreement upon the whole matter was to deal with the longer-term question first and thereafter immediately to tackle the problem of the interim government. It was on that basis that we proceeded.

" It, therefore, became necessary to work out with the leaders of all main parties some basis upon which these parties would be prepared to meet for discussion of the long-term problem.

" Our difficulty here was that the Muslim League were committed up to the hilt to an independent, fully sovereign Pakistan as a separate entity, while the Congress equally were strongly pledged to a unitary India, though they had stated that they could not compel the people of any territorial unit to remain in an Indian Union against their declared will.

" The second stage of our negotiations was, therefore, introduced by a very intense period of personal interviews and conversations during which a joint basis was worked out for discussion, and ultimately both parties, while making it clear that they were in no way bound, expressed their willingness to meet in Simla to discuss the matter."

Sir Stafford Cripps then quoted the basis of the future constitutional structure of British India—a Union Government dealing with foreign affairs, defence and communications, two groups of provinces, one predominantly Hindu and the other predominantly Muslim, dealing with all other subjects which the provinces in the respective groups desired to be dealt with in common; Provincial Governments to deal with all other subjects and have all residuary sovereign rights—and commented : " It was upon this purposely vague formula, worked out in conjunction

with the leaders of the two parties that we were able to bring together to confer with us in Simla four representatives each from the Congress and the Muslim League.

"We were not over-optimistic regarding the final agreement at that stage but what we hoped for and, in fact, realised, was a much closer approach to a solution which would narrow the gap between the two parties and so enable us subsequently to put forward to them suggestions for bridging that gap.

"Towards the end of the Simla talks the two sides produced written statements of their rival demands which, he said, showed that both had moved very considerably from their initial standpoints.

"It was not possible to get the parties any closer to one another at Simla and so with their consent, the meetings were terminated after lasting a fortnight and the Mission announced that it would return to New Delhi and put out a statement of its own views.

"We had, in fact, worked very hard on the production of a plan while at Simla, adopting it in the light of the negotiations, and on our return to New Delhi, we were able to finalise it quickly so that it was issued on May 16.

"It is perhaps worth stating that—contrary to the allegations which were made in some quarters in India—we had not gone out to India with any cut and dried plan. We went out with open minds since our object was not to impose a plan on India but to help Indians to agree on a plan amongst themselves.

"We did not desire in any way to interfere with the making of the future constitution of India,

which was and is a matter entirely for Indians. On the other hand, as we were asking the different communities to join in the forming of a constitution-making body on a certain basis which we believed to conform to the greatest possible common measure or agreement between them, we had to offer each of them some security that if they came in on that basis it would not be changed without their consent.

"Therefore the Cabinet adopted a basic form for the future constitution.

"A point to note was that 'this three-tier system, as it has been christened, is nothing more than our recommendation to the Indian people.'

"But it was on that basis that the Cabinet Mission was asking the parties to join in the formation of a Constituent Assembly. It was necessary to stipulate that the provisions should not be varied without a majority of each of the two major communities.

"This was designed with, we were sure, the assent of the Congress to give a degree of security to the Muslims if they came in on the basis of our recommendation."

Commenting on the part of the Cabinet Mission's statement on May 16 giving their reasons for adopting the population basis for the elections to the Constituent Assembly, Sir Stafford said that this method had met with very general approval.

Of the special procedure for the extra protection of the minorities Sir Stafford said: "To this we attach great importance. A straight population basis for the Constituent Assembly with election by single transferable vote inevitably results in the minorities, to some extent, losing their existing weightage in the Provincial Legislatures.

"It was wholly impracticable to extend the population basis to each of minorities individually because their numbers are so divided up amongst the different provinces that it in practice would have resulted in some of them not gaining any representation at all.

"We, therefore, took only three major divisions—Muslims, Sikhs and General.

"In the later category the Congress are, of course, the vast majority and if—as in fact they are doing—they provide adequate opportunities for minority representatives to get elected, the minorities will gain and not lose by the arrangement.

"Despite this, we still felt that the minorities should have some special consideration, and we were sure from our negotiations that both the major parties were anxious to give them a good and fair treatment.

"We proposed, therefore, an Advisory Committee. This provides a way of initiating recommendations for minority protection in the constitution in a body which should consist mainly of minority representatives. We believe that this method is more likely to produce sound and just results than an insignificant minority in the Constituent Assembly which is the most that could, by any electoral device, have been obtained for the minorities.

Sir Stafford said that the Cabinet's statement of May 16 gained an excellent reception in India, adding, "though, of course, there were points in it that were criticised on many sides. Neither of the two major parties could achieve the whole of their objective through it, but it presented a practicable and flexible compromise which we hoped that both might accept."

Regarding the formation of an interim government, which the Mission regarded as a matter of great import-

ance, Sir Stafford said: "We stated then (May 16) and we still take the view that a coalition government having full popular support, was necessary, and that we were anxious to settle its composition as soon as possible so that the two things — the constitution-making machinery and the interim government—could go forward together. Moreover, it appeared clear that time, as I have pointed out, that the Congress was unlikely to accept the long-term plan until a solution has also been found for the short-term question of an interim government."

Sir Stafford said that the letters exchanged during the period of waiting, which was essential to give the party leaders time to consult, showed a gradual elimination of some of the difficulties which seemed almost insuperable to the parties in the first instance. He emphasised that the points of disagreement were few and the general degree of acceptance very great.

Of the All-India Muslim League's resolution of June 6, accepting the scheme put forward by the Mission, Sir Stafford said: "That was a great step forward and it must have required no little courage and determination on Mr. Jinnah's part in the light of the strong views held and very forcibly expressed by his followers, to support and carry this resolution through the Muslim League."

Sir Stafford said that there were two main points which the Congress were stressing to the statement of May 16. "The first was as to whether provinces were compelled to come into sections of the constituent Assembly in the first instance, or whether they could stay out if they wished. We made it quite clear that it was an essential feature of the scheme that the provinces should go into the sections, though, if groups were subsequently formed, they could afterwards opt out of those groups."

"Fear was expressed that somehow or other the new Provincial Constitutions might be so manœuvred as to make it impossible for a province afterwards to opt out. I do not myself see how such a thing would be possible but if anything of that kind were to be attempted it would be a clear breach of the basic understanding of the scheme".

Sir Stafford said the essence of the constitution-making scheme was that the provincial representatives should have the opportunity of meeting together and deliberating upon the desirability of forming a "group" and upon the nature and extent of the subject to be dealt with by the group.

"If, when the pattern of a group, ultimately emerges, any province wishes to withdraw from the group because it is not satisfied, then it is at liberty to do so after the first election under the new constitution when with, no doubt, a wider electorate than at present that matter can be made a straight election issue.

"The second point which disturbed the Congress was as to the European vote. The Congress took the view that as we had laid down that the constitution was to be made by Indians for Indians, Europeans had no locus at all in the matter.

"So far as sitting in the Constituent Assembly was concerned, this seemed pretty clear and while we were in India, the European Party in the Bengal Legislature—which is an important case in point—expressed their clear intention neither to nominate nor to vote for any European.

"Since our departure, they have gone further and have decided to take no part in the elections at all and the same has been done, I understand, by the Europeans in Assam.

" That matter has, therefore, been got out of the way not by our decision, but by the sensible and co-operative attitude of the Europeans themselves, who have throughout done their best to assist towards the working out of the new regime in India.

Sir Stafford Cripps continued : " Before I leave this matter of the Constituent Assembly I must mention some of the recent reports as to the alleged intentions of the parties in joining the Constituent Assembly.

" We saw representatives of both the parties shortly before we left India and they stated to us quite categorically that it was their intention to go into the Assembly with the object of making it work.

" They are, of course, at liberty to advance their views as to what should or should not be the basis of the future constitution—that is the purpose of the Constituent Assembly, to hammer out an agreement from diverse opinions and plans.

" Likewise they can put forward their business, and having agreed to the statement of May 16, and the Constituent Assembly being elected in accordance with that statement they cannot, of course, go outside the terms of what has been agreed to as that would not be fair to the other parties who have come in.

Dealing with the parity issue, Sir Stafford said :

" Mr. Jinnah took up the position verbally that he would await the Congress decision before giving that of the Muslim League.

" The Congress were very much troubled by the type of parity that still remained between the Muslims and the Hindus other than the Scheduled Castes and also by the inclusion of Sir N. P. Engineer, not because

of his personal qualifications which they admitted were of the highest, but because they considered that he was holding an official post which they thought gave him an official rather than a representative character.

"The major problem, however, was still that of parity.

"It might have been that, despite all difficulties, the Congress would have consented to this arrangement had not there been unfortunate and widely publicised disclosure of certain letters written by Mr. Jinnah at this precise moment.

"The most important of these was that which contained the following sentence: 'The Muslim League would never accept the nomination of any Muslim by you (that was the Viceroy) other than the Muslim Leaguer.'

"This at once became a major issue. The Congress were in fact considering the possibility of asking for substitution of one of their Hindus by a Muslim in order to get out of parity difficulty. They might, perhaps, have waived this suggestion of nominating a Muslim, had it not been that public challenge was at this moment made to their right to do so.

"The Congress has, of course, always insisted upon the non-communal nature of its organisation, and it has fully demonstrated this fact by its nomination of personnel to those Provincial Governments in which it has a large majority.

"It was made perfectly clear to Mr. Jinnah on more than one occasion that neither the Viceroy nor the Mission would accept his claim to a monopoly of the Muslim appointments, though the Muslim League was, certainly, to be regarded as the major representative of the Muslim interests."

Sir Stafford Cripps said that in the statement of June 16, the Cabinet Mission had laid down a course which it should pursue in the event of both or either of the two major parties being unable to accept a coalition government on the basis there laid down.

" If either refused, the whole basis of the proposed coalition fell to the ground, but we desired to protect anybody who had agreed to co-operate in the plan of May 16 for the Constituent Assembly and so we stated that in the event of a failure to form a coalition on the lines set up, it is the intention of the Viceroy to proceed with the formation of an interim government which will be as representative as possible of those willing to accept the statement of May 16.

" The Congress decided, I am glad to say, to accept the statement of May 16 while unfortunately rejecting the interim government proposed for reasons I have already stated.

" This acceptance of the statement of May 16 was an act of statesmanship on their part, as it enabled progress to be made towards working out a new constitution.

" Immediately we received the letter from the Congress, we saw Mr. Jinnah and told him the position, giving him a copy of the letter and informing him that the scheme of June 16 had fallen to the ground since the Congress had turned it down. This was confirmed the same evening. Up to that moment the Muslim League had arrived at no decision. As I have already pointed out they had adopted a line that they must await the Congress decision before they themselves decided.

" Mr. Jinnah went straight from his meeting with us to his Working Committee who had passed a resolu-

tion accepting the scheme of June 16. Presumably, Mr. Jinnah told his Working Committee what had passed at the interview, though he does not make this clear in his letter.

"Mr. Jinnah seemed to think that acceptance by the Congress of the statement of June 16 had put him into a false position and that we should have proceeded forthwith to the formation of an interim government with the Muslim League alone.

"It is easy to realise the disappointment of Mr. Jinnah that the Congress had not accepted what apparently seemed to him an acceptable arrangement of June 16 for a coalition government being set up, while at the same time, qualifying themselves for consultation upon the formation of some other interim government by agreeing to operate the plan of May 16.

"Mr. Jinnah was anxious to enter the coalition government as laid down in the statement of June 16, but as paragraph 8 of that statement made the setting up of such a government dependent upon acceptance by both parties, it was impossible to proceed upon it at that basis when one party—and the major party—had stated its unwillingness to accept."

Replying here to an interjected inquiry by Mr. Richard Butler (Conservative) as to the meaning of paragraph 8 in the statement of June 16, Sir Stafford Cripps said: "If either the Congress or the Muslim League would not consent to come into the coalition government, then the scheme for the coalition government must fail because it would no longer be a coalition and we should have to find some other interim government of those, who accepted the scheme of May 16."

Sir Stafford continuing said: "The situation now is that the Viceroy will proceed to act under paragraph

8 of the statement of June 16. There had been quite an understandable criticism of the fact that a purely temporary official government has been set up in the meantime.

"It is admittedly necessary to take some immediate steps as regards the Viceroy's Executive as a number of its members had resigned, some of them having returned to this country.

"There were only two possible alternatives, either to proceed at once with fresh negotiations with the two major parties, or else to appoint a purely transitional government until such time as further negotiations could take place.

"For the purpose of such a transitional government, the only practical method was to set up a purely official caretaker government, and as the House knows, that is what has been done and that government is now functioning.

"I must make it clear that this is a purely temporary expedient to tide over time until a representative interim government can be formed.

"The deciding factor in the choice between the two alternatives was purely a practical one. No one desired an official government had any other solution been possible.

"Only those who have carried through the intensive negotiations during the summer months in New Delhi can realise how exhausted all participants were.

"It was essential that there should be a pause after three and a half months of intense work, and this necessity was further emphasised by the fact that all members of the Congress Working Committee had to

leave for the All-India Congress Committee meeting at Bombay on July 8 and that all parties wished to participate in the elections to the Constituent Assembly.

"I must here pay a tribute to the amazing way in which the Viceroy carried the great load of these negotiations throughout all these months (cheers); during which he had the task of carrying on all his many day-to-day duties in the Government of India as well.

"It is not surprising that he too was feeling tired and needed a period of comparative rest. So it was that this purely temporary expedient was adopted.

"The next stage which will come very shortly will be for the Viceroy to resume negotiations at the earliest practicable moment with the two major parties for the formation of an interim government.

"This will admittedly be a difficult task, but we hope that the fact that the constitution-making machinery is being now at last launched, will make both the parties realise the absolute necessity for a compromise on the question of the interim government.

"This government is no part of any permanent structure in India, it is purely a provisional government to carrying on until such time, as the new constitution comes into operation and it would, therefore, seem inappropriate for either party to delay its formation by insisting upon principles which for a purely temporary purpose will have no influence upon their future position.

"Members of the Mission would wish to appeal to all those on both sides in India with whom they developed such truly friendly relations during their stay in India, to put aside for this purpose, their keen communal and party feelings and to come together for the good of all Indians at this difficult time when an

efficient and representative government is so vital to her future welfare.

"So far, I have, of necessity, concentrated upon the position of the two major parties, but although these represent a large proportion of the total population of British India, there are other important elements which are entitled to fullest consideration.

"First, perhaps, I might deal with that large section of Indian territory and population which comes within Indian States.

"The House will be familiar with our relationship with Indian States, described by the word 'paramountcy.'

"We have a series of very interesting talks with the representatives of the Princes and some of the leading States' Ministers as well as a good deal of correspondence, and we were most impressed by the co-operative attitude which they adopted throughout.

"The Chancellor of the Chamber of Princes, His Highness the Nawab of Bhópal, was very helpful and will, I am sure, contribute much to a solution of the problems of Indian States.

"The States are willing and anxious to co-operate and to bring their own constitutions into such conformity with those of British India to make it possible for them to enter the Federal Union.

"There will, of course, have to be close negotiations between the Negotiating Committee which the States have set up and the major British Indian parties, both as to the representation of the States in the Constituent Assembly and as to their ultimate position in the Union.

"If the same reasonable temper continues to be shown about these matters as was the case while we were

in India, we may well hope that accommodation will be arrived at which will enable all-India to come within the Union set up by the constitution-making machinery.

"I now pass to the question of Sikhs. It was a matter of great distress to us that the Sikhs should feel that they had not received the treatment which they deserved as an important section.

"The difficulty arises, not from anyone's underestimate of the importance of the Sikh community, but from the inescapable geographical facts of the situation.

"What the Sikhs demand is some special treatment analogous to that given to the Muslims. The Sikhs, however, are a much smaller community, 5,500,000 against 90,000,000, and are not geographically situated so that any area as yet desired—I do not put it out of possibility that one may be devised—can be carved out in which they would find themselves in a majority.

"It is, however, essential that fullest consideration should be given to their claims for they are a distinct and important community, and this we have done.

"But on the population basis, adopted, they would lose their weightage and consequently have only four out of a total of 28 seats in the Punjab, or out of 35 in the North-Western Section.

"This situation will to some extent, we hope, be remedied by their full representation in the Advisory Committee on minorities set up under paragraph 20 of the statement of May 16.

"Over and above that, we have represented to the two major parties—who were both most receptive—that some special means to giving the Sikhs a strong voice in the affairs of the Punjab for the North-Western Section should be devised. I feel most hopeful that if only our Sikh friends maintain single and

undivided view among themselves and are patient they will find their position generally recognised and that they will be able, with the two main parties, to work out some satisfactory arrangement.

"I now come to the third element outside the two major parties—the Depressed Classes.

"The difficulty that arises here is that there are two claimants to represent this large body of Indians.

"One is identified with the name of Dr. B. R. Ambedkar, who has fought so strenuously for the rights of the Depressed Classes and the other which works in close association with the Congress.

"Dr. Ambedkar's Organisation is somewhat more local in its character, being mainly centred in Bombay and the Central Provinces; the Congress-affiliated Organisation is spread widely over the whole country.

"We naturally considered with great care as to what could be done to obtain representation for both Organisations in accordance with their popular support in the country.

"The House will remember that the electoral basis for the Depressed Classes' representatives is what is known as the Poona Pact, agreed to under pressure by Dr. Ambedkar, which lays down a most complicated system of election, in which there are primary elections by the Depressed Classes electors alone, in which four candidates are chosen from which subsequently in the second election, one is chosen by the general electorate.

"Whether this is a good or bad system, it is one to which the parties agreed and which is in operation and as a result of it, at least in the provincial elections, the Congress made practically a clean sweep of the whole Depressed Classes constituencies.

"That is a fact and as it was almost universally agreed that members of the Provincial Legislative Assemblies formed only possible electorate for the Constituent Assembly, it was not possible, even had we desired to do so, to arrange for Dr. Ambedkar's Organisation to have any special right of election to the Constituent Assembly.

"It had failed in the elections and we could not artificially restore its position. The Depressed Classes will, of course, have their full representation through the Congress-affiliated Organisation.

"We interviewed leaders of that Organisation and were convinced of their very genuine and strong desire to support the case of the Depressed Classes.

"Here again, however, the Advisory Committee on minorities can provide an opportunity for reasonable representation of both Organisations and we hope very much that the majority of the Constituent Assembly in setting up that Advisory Committee, will be generous in their allocation of seats to all minorities, but particularly to minority organisations which though they have a considerable following in the country, have little or no representation in the Constituent Assembly itself.

"I have attempted in what, I fear, is rather a long review of our negotiations to cover some of the major points. I hope that members will not think that because, I have omitted to mention them, there were not a mass of other matters to which we gave most careful attention.

"We met daily, including Sundays, and often two or three times a day, so that we might consult fully upon every point that arose and despite the heat and long hours, I can, I am sure, say on behalf of myself and

my colleagues that we made a most cohesive and good temperated team and we certainly did not shirk any single issue that was brought to our attention.

" Before coming to a short summing up of the situation as I now see it, I want to pay a sincere tribute to all those with whom we negotiated. It would be invidious to mention names but I am convinced that every single person with whom we dealt was genuinely anxious for a solution of these most difficult problems.

"They each rightly pressed and pressed very strongly the particular views of their community or party, but also they (one and all), made very considerable compromises which were especially difficult in view of the very pronounced election propaganda-period which had immediately preceded our visit.

" We are most grateful to them for their contribution as well as for the very friendly and helpful way, in which they received and entertained us in their country.

" We were sent to India to try and work out with Indian parties, a way of completing the structure of Indian independence, which has long been planned and contemplated.

" Every step that had been taken before and since the World War I has been in that direction, but so far it has not been possible to bring to full fruition, the plans and promises that had been made.

" There is no doubt that at the time of our arrival in India, there was a universal and dangerous spirit of frustration and disillusionment. The first great step to clear away this form of doubt and meditation, was taken when the Prime Minister made his speech in this House on March 15 last.

"That speech which was accorded a friendly reception from every quarter of the House and by all the British press had a profound effect in India. We quoted some of the more important passages from it in the opening paragraph of our statement of May 16, that we tried to build.

"In this statement of Government policy, the Prime Minister in one respect and in one respect only went further than any British Government had gone before.

"In the offer of 1942, India was promised the position of a Dominion and it was then expressly stated on instructions from the Coalition Government that, should India so desire to do, once she had achieved her independence, she would be free to go out of the British Commonwealth of Nations.

"Since 1942 conditions have changed.

"What was then rejected would have been 100 times more certain of rejection in 1946. One hope of a peaceful and friendly change of sovereignty was to offer Indians their complete and unqualifying independence, whether within or without the British Commonwealth. In that way alone was there a hope of retaining their friendship and ultimately co-operation.

"It was largely this change in approach, announced by the Prime Minister on March 15, that made it possible for our Mission to make headway towards settlement. Without it our visit to India would have been pointless and fruitless.

"When we left India, there had undoubtedly been a change of atmosphere. There was trust in the sincerity of the British Government which had formerly been absent and a desire and willingness for co-operation in the solution of India's problems.

"That is the first positive gain, and is something which, we believe, augurs well for our future relationship with an independent India, whether she chooses to remain within or to go without the British Commonwealth.

"Second, we have negotiated an agreement between the main Indian parties and acceptable to Indian States, which provides a machinery for working out a new constitution. It is not our task to make that machinery work. We must now stand aside, always ready and anxious to help if we are wanted but determined not to interfere.

"No one would be so foolish as to imagine, that the curse of constitution making will be a smooth one. The principal parties will not give up their deeply-held convictions at the moment.

"But we have succeeded in doing what, it has often been suggested, was necessary. We have negotiated means of bringing the representatives of Indian people together—without our presence—to settle for themselves their own exceedingly difficult problems.

"We believe that given the accommodation which both sides have shown in agreeing to the plan, it will not be impossible to work out a solution of the many problems that confront the Constituent Assembly.

"One factor is certainly encouraging and that is that all parties are trying to get very best persons elected to the Constituent Assembly, including many who are not party men at all.

"There is every hope that that body, when elected, will represent the views of nearly every element of Indian life, including, of course, the minorities, although it is regrettable that the Sikhs have recently withdrawn their candidates.

"Unfortunately, we did not succeed in accomplishing the second task which we regard as of great importance—that of the setting up of a representative interim government.

"We did not fail, because of any difficulty between the Viceroy or the British Government and Indians. We have failed, because so far we have not been able to devise the composition of a government acceptable to both parties.

"In the ultimate stages, the issue came down to very narrow one upon which neither party was prepared to give way—whether the Congress could nominate a Muslim as one of their representatives in the interim government.

"It would obviously be undesirable to comment on that situation which is the one with which the Viceroy will have to deal in the forthcoming negotiations, nor as I am sure, the House fully realises, would it be helpful if the members were to canvass one or the other of contentions put forward. On both sides convictions are honestly held and both parties attach great importance to this issue.

"There can be no doubt in any of our minds that the course of the Constituent Assembly will run more smoothly, if representative government can be set up at the Centre, nor have we any doubt whatever that the circumstances of India demand the setting up of such a government as an urgent matter.

"Both major parties equally agree that a coalition government is highly desirable and indeed necessary.

"After a short respite from negotiations, we hope that both parties may find the way out of this dilemma, for no one can contemplate with any equanimity, the breakdown of progress to Indian independence, because

of the method of allocating a single seat in the interim government.

"The magnitude of what we are trying to accomplish cannot be over-estimated. It is nothing less than transfer by peaceful means of sovereignty to over 400,000 000 people situated in many diverse territories of differing religions and different races.

"To achieve such an aim would be to revitalise the faith of the world in peaceful methods and human reasonableness. Success, though not yet by any means certain, is within the grasp of ourselves and our Indian friends, and we may hope that in this realisation, the remaining difficulties may be overcome.

"There is one thing of which I feel certain, that every person in this House and this country will desire their most heartfelt wishes for success to be conveyed to those representatives of the Indian people who will shortly be meeting in the Constituent Assembly.

"May God bless their labours and may they achieve for India upon a sound and lasting basis that freedom for which all her people long."

Sir Stafford spoke for six hours and ten minutes.

Mr. Winston Churchill, leader of the opposition in the House of Commons, speaking after Sir Stafford Cripps, said:

"I take full responsibility for the offer of 1942 although we received no co-operation from the Congress Party in India, which throughout the war, adopted an attitude of non-co-operation although two million or more Indians fought with us for freedom.

"It was a remarkable thing that the political parties did not sway the views of Indians and, although we got no assistance from those parties, we adhered to the stand we had made."

Mr. Churchill added he would register his dissent with severance from the original plan, for he considered this short-circuiting of normal constitutional processes to be not in accordance with the best wishes of those concerned with a solution of the Indian problem.

"Having regard to the elements in India to which the Home Government mainly address themselves, it prejudiced, in an adverse sense, the case of whether the vast subcontinent of India with its population of 400,000,000 should remain, of its own free will, within the Commonwealth of Nations.

"Government had the power to make this change. Theirs is the responsibility for making it.

"Secondly the offer of 1942 was conditional upon agreement being reached among the principal forces and parties in the life of India."

Mr. Churchill continuing said: "I am not making accusations against the Government. The General Secretary of the Muslim League has gone so far as to say that unless the situation is clarified, it would be suicidal for the League to enter the Constituent Assembly.

"All this raises the most formidable issue. Those who have been to India know well that agreement of the Muslims to the new system, will affect the whole foundation of the problem."

Mr. Churchill added there was no doubt that there was a complete lack of agreement at the present time between the two principal communities.

Between these two communities the gulf was never more wide than it was at present. Differences were never more acute. The deadlock was very grave.

Acceptance by the martial races of the final settlement which we made before we left India was indispensable to the future peace.

"I desire to emphasise that all the arrangements to be made by the Constituent Assembly, and in the treaties which may subsequently be brought into existence between the Crown and Parliament of Great Britain and a new sovereign independent government of India, must be subject to the fulfilment of the honourable discharge of our obligations.

"I hope we are in agreement on that."

Mr. Churchill said he could not contemplate that British troops should be used to crush Muslims in the interests of Caste Hindus. Whatever might be our responsibilities, whatever might be the day appointed for us to quit India, we must not make ourselves agents of a caste government or particular sectional government in order to crush by armed force and modern weapons another community, which although not so numerous, was numbered by 90 millions.

He added that the opposition was content that further discussion should stand over till the autumn when they would have a fuller knowledge of the situation and of the forces at work in India than was possible at present.

Lord Pethick-Lawrence, while giving an account of his stewardship of the Cabinet Mission in the House of Lords, said, "All leaders of Indian opinion now realise that the British people mean what they say and will do their part to carry it into effect."

He said that while the first task of the Mission was to convince Indians of the sincerity of the British people in offering them independence within or without the British Commonwealth, according to their choice, their second task was to bridge the apparently unbridgeable gap separating the rival views of the two Indian parties (the Congress and the Muslim League). Lord Pethick-Lawrence claimed that he could declare without fear of disagreement that they

were entirely successful as far as the first task was concerned.

"As there is so much to tell, I will only say one thing by way of introduction regarding the problems with which we have to deal.

"If you take all the population of the United States and all the population both in Europe and Asia, of the Soviet Union and all the people of the British Isles and all the White people throughout the British Empire and add them all together—even then you do not reach a total as great as that of the Indians in India.

"Not only that, but that vast subcontinent has great diversities of race, religion, language and culture. No wonder it is then that Indian statesmen are deeply conscious of their responsibilities and take divergent views as to the precise constitutional future of that country.

"The two great parties in British India, the Congress and the Muslim League, who between them nearly swept the polls in the recent provincial elections, are acutely divided on this matter.

"While the Congress has always stood for one united India, the claim of the Muslim League has been for the division of India into Hindustan and Pakistan.

"Therefore, while the first task of the Mission was to convince the Indians of the sincerity of the British people in offering them independence within or without the British Commonwealth, according to their choice, their second task was to bridge the apparently unbridgeable gap separating the rival views of the two great Indian parties.

"I think I can claim without fear of disagreement that, as for the first, we were entirely successful. (Cheers.)

" All leaders of Indian opinion now realise that the British people mean what they say and will do their part to carry it into effect.

" As to the second, I believe the facts as disclosed in the voluminous White Papers, which I hope to make more clear, speak for themselves.

" We began by getting into direct personal contact, orally and by correspondence, with the most representative men and women in India, not only of the great Indian parties and from the States, but also of other sections and minorities in British India.

" Their views profoundly influenced us in forming our opinion as to the best way to approach the problem.

" The main difficulty lay in the fact that not only were the major parties differing in their views about the future constitutional structure of India, but this divergence prevented them from agreeing on a constitution-making machinery.

" The Congress wanted a single constitution-making body while the Muslim League wanted two separate constitution-making bodies—one for Hindustan and one for Pakistan.

" After considerable discussion with them separately we decided to invite them both to send four representatives each to meet us together at Simla and considered a proposal for forming a constitution on a three-tier basis.

" This they agreed to do, while reserving complete freedom of comment and action. The Simla talks were marked by the very welcome spirit of accommodation shown by both parties and, although a final agreement was not reached, the talks ended amicably and sufficient progress had been made to justify us in putting out a

statement on May 16, which we believed was sufficiently near to the views of both parties to be likely of acceptance.

"That statement did not purport to lay down a constitution for India. This was a matter only for Indians. What we did was to put forward the three-tier suggestion and offer it for a basis for constitution-making machinery.

"The three-tier basis was nothing more than our recommendation to the Indian peoples, but on the basis of these proposals we were asking the parties to join in the formation of a Constituent Assembly. But it was necessary to stipulate that the provisions should not be altered without a majority of the two major communities.

"In paragraph 18 we gave our reasons for taking a population basis for the allocation of seats on the Constituent Assembly, and this method has met with general approval.

"In paragraph 14 we dealt with the question of the Indian States. We had discussions with the Chancellor of the Chamber of Princes, the Nawab of Bhopal, and were greatly impressed with the helpful and co-operative attitude he adopted throughout, and to that attitude can be attributed much of the success of the solution of the problem of the Indian States.

"Our attitude to the States is expressed in paragraph 14 of the statement, where we record the willingness of them to co-operate and also their helpful attitude as to the winding up of paramountcy relationship.

"This matter was further elaborated in the memorandum handed by us to the Chancellor.

"The views of the States, for whom the Chancellor is responsible, are given in a document. It will be seen that a Negotiating Committee has been set up to arrange for the participation of the States in the constitution-making body.

"The May 16 statement, as a whole, had an excellent reception, though there were points in it that were criticised on many sides. Neither of the major parties could achieve their whole objects, though it presented a practicable and flexible compromise, and we hope they might both accept it.

"After issuing that statement there followed another period when all the parties in India were discussing among themselves our proposal and weighing up the pros and cons in minute detail as it affected their own principles and the principles of their particular sections.

"There were also verbal exchanges between them and ourselves as to the Constituent Assembly, as it will be seen in some of the earlier letters published and from the statement issued by the Mission on May 25.

"On June 6 the All-India Muslim League Council passed a resolution which, while critical of the contents of our statement of May 16, particularly on the issue of Pakistan, and while reserving opinion on those points, definitely accepted the scheme put forward by the Mission.

"This was a great step forward and I pay tribute to the courage and statesmanship of Mr. Jinnah that, in advance of the Congress, he should have advocated in his Council, and carried through that body, acceptance of our proposals, which differed substantially from the views held until then and vigorously expressed by his followers.

" The Congress did not at that time come to any final decision but, if I may anticipate events, they, too, on June 26, in a resolution and in a letter to the Viceroy, while expressing their views on interpretation, announced their acceptance of the proposals set out in our statement of May 16.

" Thus we have secured in the end the acceptance of both the major parties in India to these proposals. Nominations and elections to the constitution-making body have, accordingly, been proceeding in the present month and, from the news which reaches me, it would seem that some of the best human material in India are likely to be returned to take part in the deliberations.

" If my expectations in this respect are fulfilled, a most valuable start has been made in the creation of a constitutional structure for the future of India.

" Before leaving this I would like to say a few words about some recent reports from India as to the intentions of the parties in joining the Constituent Assembly.

" We saw both parties shortly before we left and they stated to us quite categorically that it was their intention to go into the Assembly with the objective of making it work. They are, of course, at perfect liberty to advance their own views as to what should or should not be the basis of the future constitution.

" That is the purpose of the Constituent Assembly —to hammer out agreement from diverse opinions and plans.

" Likewise, they can put forward their views as to how the Assembly should conduct its business but, having regard to the statement of May 16 and the Constituent Assembly elected in accordance with it,

they cannot, of course, go outside the terms of what has been agreed to. That would not be fair to the other parties who go in, and it is on the basis of that agreed procedure that the British Government have said that they will accept the provisions of the Constituent Assembly.

"As to the States, they need have no anxiety, since it is for them to decide freely to come in or not, as they choose. It is for that purpose that they have set up a Negotiating Committee, and I am sure that that Committee will have the wisdom to work out an acceptable basis for their co-operation in the Assembly.

"It is on a free consensus of the many diverse elements of the Indian people that the success of the new constitution will depend.

"I am confident from what they said to me in India that all parties appreciate this fundamental fact. Union cannot be by force. It must be by agreement and it will be the task of the Assembly to obtain that agreement.

"It will be possible for the majority and minorities alike to prepare to co-operate for the good of the future of all India."

Dealing with the negotiations for the creation of an interim government, Lord Pethick-Lawrence said: "I need hardly point out that during this interim period it is most desirable, if possible, to get an interim government which is in the nature of a coalition and in which, at any rate, the two major parties are both represented.

"No agreement was reached at Simla on this point, or after our return to Delhi. A very strong point with the Congress was related to the powers and status of the interim government and the treatment of it by the Viceroy.

"The Congress took exception to parity between two parties and attempts were made to meet this by forming an interim government on the basis of six Congress representatives—five Caste Hindus and one representative of the Scheduled Castes—five Muslims and two others. Mr. Jinnah might possibly have agreed, but the Congress were not satisfied with this.

"We reached a complete deadlock and it seemed that the only possible way to break it was for the Viceroy, in consultation with the Mission, to choose a suitable interim government on a basis of six Congress, including one from the Depressed Classes, five Muslims, one Sikh and two others—a Parsee and an Indian Christian.

"The Viceroy had had unofficial and tentative lists of names from both sides and these were largely used in the selection.

"Mr. Jinnah took up the position that he would await the Congress decision before giving that of the Muslim League. The Congress were very much troubled by the type of parity still remaining between the Muslim League and the Caste Hindus and on the matter concerning minority representation.

"But the Congress, despite all difficulties, might have consented to this arrangement had there not been, unfortunately, a widely published disclosure of certain letters written by Mr. Jinnah at that moment, the most important of which contained a sentence that the Muslim League would never accept the appointment of any Muslim by the Viceroy other than a Muslim Leaguer.

"This became a major issue. The Congress had suggested that they should be allowed to substitute a Muslim for one of their number, but this had been

opposed by the Viceroy and they might have waived the suggestion, had it not been that a public challenge was made at this moment to their right to do so.

"The Congress had always insisted on the national character of their organisation and this is fully demonstrated by their nomination of personnel in the provincial assemblies—I mean national as opposed to communal character.

"It was made clear to Mr. Jinnah that neither the Viceroy nor the Mission could accept his claim to a monopoly of Muslim appointments.

"We felt we could not at this stage accept much alteration of the Viceroy's plan. In the statement of June 16 we had laid down the course we should pursue in the event of both or either of the two major parties not being able to accept a coalition government on the basis proposed.

"If either opposed it, the whole basis of the coalition fell to the ground. In this event our statement of June 16 stated that the Viceroy would seek to form an interim government, which would be as representative as possible of all those willing to accept the statement of May 16.

"When the Congress ultimately came to their final decision to accept the May 16 statement, while, unfortunately, rejecting the interim government, they quite clearly became equally eligible with the Muslim League for inclusion in such a representative government.

"Immediately we received from the Congress President letter No. 31 and saw Mr. Jinnah and told him the position, giving him a copy of the letter and informing him that the scheme of June 16 had fallen to the ground.

"Up to that moment the Muslim League had arrived at no decision as to their attitude to the proposals of June 16 and they had adopted the line that they must await the Congress decision before they themselves decided. In view of the Congress decision, it was then too late for any decision of the Muslim League to be effective.

"Mr. Jinnah went to the meeting of the League Working Committee, which passed the resolution accepting the scheme of June 16. Presumably, Mr. Jinnah told the Committee of his interview with us. Mr. Jinnah seemed to think that acceptance by the Congress of the May 16 proposals had put him into a false position, and that we should have proceeded with the formation of an interim government with the Muslim League alone.

"It is easy to realise the disappointment of Mr. Jinnah that the Congress had not accepted what apparently seemed to him an acceptable arrangement, while at the same time qualifying themselves for consultation upon the formation of some other interim government by agreeing to operate the plan of May 16.

An appeal on behalf of the British Cabinet Mission to the two major parties in India to put aside their keen communal and party feelings and work together for the good of India was made by the Secretary of State for India in conclusion.

He said that from reports reaching him "some of the best human material in India was likely to be returned to take part in the deliberations of the constitution-making body. If my expectations are fulfilled," he added, "a good start has been made in the creation of a constitutional structure for India."

Describing the purpose of the Constituent Assembly, Lord Pethick-Lawrence said: "It is on a free

consensus of the many diverse elements of the Indian people that the success of the new constitution will depend. I am confident from all that was said to me in India that all parties appreciate this fundamental fact. Union cannot be by force. It must be by agreement, and it will be the task of the Assembly to obtain that agreement."

He added: "The members of the Mission appeal to those on both sides with whom they developed such true and friendly relations to put aside their keen communal and party feelings and act together for the good of India in the difficult time when an efficient and representative government is so vital to her future welfare."

CHAPTER XIII

LEAGUE WITHDRAWS ACCEPTANCE

The postponement of the formation of an interim government by the Cabinet Mission and the conditional acceptance of the long-term plan by the Congress which, according to the League, was no acceptance led the Muslim League to reconsider their acceptance of the Mission's plan and, accordingly, the All-India Muslim League Council met at Bombay on July 27, 28 and 29. The Council, after examining the whole position, reversed its former decision.

Mr. Jinnah in his opening 150-minute speech to the Council accused—

Lord Pethick-Lawrence "was put on the scent of Mr. Vallabhbhai Patel, the strong man of the Congress" by Sir Stafford Cripps. The Secretary of State for India "waylaid Mr. Patel on the road and took him to his house and there they concocted a device" with regard to the Mission's long-term plan.

* * *

"The Viceroy had no business to put my name when I had clearly made it known to him, in spite of his trying to persuade me, that I will not accept any office so long I am the President of the Muslim League."

* * *

"I am sorry to say that Cripps debased his legal talents . . . . He overpowered the venerable and idealistic Secretary of State."

* * *

"Gandhi is the self-appointed trustee of Harijans. Does he honestly believe that the Harijans have confidence in him? The Harijans are a blot on any civilised community. Sixty millions of them who have been tied down by social and economic tyranny for centuries have been living in a miserable condition."

The following is Mr. Jinnah's speech as it appeared in the press:

"In the light of all that has happened during the three and a half months of constitutional negotiations and subsequent to the departure of the Cabinet Mission from India, I have come to the conclusion that the Muslim League has no other course but to depend on its own strength and to adhere to its goal of Pakistan.

"The British Government can never be taken on their word. Within ten days, the representatives of the British Government went back on their word. The Cabinet Mission tried its best to propitiate the goddess of the Congress and postponed the formation of the interim government. They have declared that the Congress had accepted the long-term proposals which is not acceptance in the real sense of the term.

"Our motto should be discipline, unity and trust in the power of our own nation. If there is not sufficient power, create that power. If we do that, the Mission and the British Government may be rescued, released and freed from being cowed down by the threats of the Congress that they would launch a struggle and start non-co-operation. Let us also say that."

Stating that all efforts of the Muslim League at fair-play, justice, even supplication and prayers have had no response of any kind from the Congress, Mr. Jinnah declared: "The Cabinet Mission have played into the hands of the Congress. It has played a game of its own.

"I tell you the Congress has done the greatest harm to the peoples of India in which the Caste Hindus are in an overwhelming majority by its pettyfogging, higgling attitude during the recent constitutional negotiations. The Congress is full of spite towards the Muslims. The Congress has now taken India back 40

years by enabling a completely bureaucratic and autocratic government to be set up at Delhi."

"The Congress thinks that it is going to walk into the interim government and by-pass the Muslim League. It is welcome to go there. We are not frightened by that and we know how to deal with that. They are talking through their hats when they talk of turning the Constituent Assembly into a sovereign body —the Constituent Assembly that is being summoned by the Viceroy, appointed by the British Government. Is it going to be turned into a sovereign body by the bravado and the childish statements of Pandit Jawaharlal Nehru?"

At the outset Mr. Jinnah said that the Council had been summoned "to consider certain issues of grave importance." "You have to finally decide what course of action the Muslim League should adopt with regard to the Constituent Assembly as embodied in the statements of May 16 and May 25 of the Cabinet Delegation and the Viceroy."

Mr. Jinnah said that the Congress had accepted the long-term proposals with their own reservation and interpretation, notwithstanding the authoritative statement that was made by the Cabinet Mission on May 25.

Quoting extracts from the Congress President's letter of June 25 to the Cabinet Mission and the Congress Working Committee resolution of June 26, Mr. Jinnah said the Congress acceptance was conditional. "Any man of common-sense can come to one conclusion only, leave alone these great politicians. It is surprising that the Cabinet Mission and the Viceroy should consider this decision as acceptance. Throughout these negotiations, the Cabinet Mission and the Viceroy were under terror and threats of the Congress."

The second thing the Council of the Muslim League had to consider was what steps should be taken by the Muslim League in view of the attitude adopted by the Cabinet Delegation and the Viceroy in regard to the interim government. Mr. Jinnah said: "They have gone back on their plighted word and abandoned what was announced as their final proposals embodied in their statement of June 16."

Mr. Jinnah contended that the Congress really never accepted the long-term plan. Its conditional acceptance was communicated to the Cabinet Mission by the Congress President on June 25 and was subsequently ratified by the A-I.C.C. at its meeting in Bombay on July 7.

"The Cabinet Mission", Mr. Jinnah said, "like a drowning man ready to catch hold of a straw treated this conditional acceptance of the Congress as a genuine acceptance. Not only did they try to propagate this view in this country, but during the debate in the House of Commons and in the House of Lords, both Lord Pethick-Lawrence and Sir Stafford Cripps created the impression that the Congress had accepted the long-term proposals. This impression is not based on facts. The Congress Working Committee's resolution was bad enough, but Pandit Jawaharlal Nehru, as the elected President having taken charge of his office, at a press conference in Bombay on July 10, made the attitude of the Congress towards the long-term proposal clear. In that interview, Pandit Jawaharlal made it quite clear that the Congress was committed to nothing and they were not bound by either paragraph 15 or paragraph 19 of the State Paper."

"The Constituent Assembly is not a sovereign body," Mr. Jinnah continued. "Either we accept it or do not accept it. Once we accept it, then the only honourable course open to my party is to treat the

Constituent Assembly really what it is. What is the use of imagining things and dreaming?

Pandit Nehru had stated that the Congress was not bound by paragraph 19 of the State Paper which regulates grouping and which also regulates the functions of the Constituent Assembly. The essential part of the scheme, from the Muslim League point of view, is grouping B and C and it is that part of the scheme which has been unequivocally repudiated by the Congress, which asserts that provinces in Group B and C are free to opt out from the very beginning and not as is provided until the group constitution and provincial constitutions are framed and elections are held under the new provincial constitutions.

Mr. Jinnah said that because the Congress had a "brute majority" in the whole of the Constituent Assembly, it was hoping to take any decision it liked with its majority, ignoring, nullifying and repudiating every term of the scheme and act in a manner which would not be competent of the Constituent Assembly and which would be *ultra vires* of the functions and rights of that body.

"The Congress position in a nutshell is that they are committed to nothing and that they are going to the Constituent Assembly to achieve their objective and according to their sweet will, they will do what they like on the basis of the interpretation which they have already announced to the world." This, Mr. Jinnah said, had created a new situation necessitating the summoning of the League Council.

Mr. Jinnah referred to the Secretary of State's speech in the Lords debate when he declared that the Indian parties could not go outside the terms of what had been agreed to as that would not be fair to other parties and said: "Beyond this pious expression, there is no

effective check or remedy provided in the event of the Congress, which happens to have a brute majority in the Constituent Assembly, taking any decision which is *ultra vires* and incompetent of that Assembly.

"The Mission knew it. It was made clear to them that the Congress acceptance was with reservations and with their own interpretation on some of the fundamentals of the scheme. Both the Nawabzada and myself had made this clear in our statements. The British Government were in possession of these details before the debate took place. And yet Lord Pethick-Lawrence had contented himself with the pious expression of hope. Does this show any sense of responsibility or understanding on the part of the Cabinet Mission who spent here three and a half months?

"Further Pandit Nehru, at a mass meeting at Delhi on July 23, said that if they cannot mend the Constituent Assembly, they would end it. When some papers attributed the Pandit's statement to his emotional and sentimental feelings, Pandit Jawaharlal asserted and re-affirmed that he had said it deliberately and with a full sense of his responsibility. He made it clear that the Congress would pursue that line and, if necessary, kill the Constituent Assembly."

Mr. Jinnah characterised Lord Pethick-Lawrence's statement in the Lords that he had faith and hope in the Indian people doing the right thing as "most unconvincing optimism" in view of the Congress stand.

"I feel we have exhausted all reasons. It is no use looking to any other source for help or assistance. There is no tribunal to which we can go. The only tribunal is the Muslim nation. (Cheers.) It is no consolation to me that Lord Pethick-Lawrence and Sir Stafford Cripps have acknowledged that we made very substantial and vital concessions whereas the Congress has not budged

an inch. I wish I could honestly pay a tribute to their courage and statesmanship which they so sadly lacked in handling these negotiations. Nor have I seen any sign of the slightest gesture of goodwill or conciliation or any indication of co-operation on the part of the Congress.

"I am confident the Muslims of India are not going to be perturbed, nor are we going to suffer from any sense of frustration. I can tell you this without fear of contradiction that of the three parties, the Muslim League acted throughout the negotiations as an honourable organisation. We negotiated on high principles. We made concession after concession not because we were overawed. We did so purely because of our extreme anxiety for an amicable and peaceful settlement which will lead, not only the Muslims and the Hindus but also other communities, inhabiting this subcontinent to the achievement of freedom. But the Congress stood there like a mule. It has no other consideration except the one, namely, how to down the Muslim League." (Cries of 'shame.')

"We worked with clean hands." "The Muslim League is the only party that has emerged from these negotiations with honour and clean hands. The Mission went back on their words with regard to the interim government. The Mission today is cowed down and paralysed. The Congress has resorted to methods that even an ordinary individual will be ashamed of.

"Have you (the Congress) not got the decency and have you not got any sense of honour and courage to say that you cannot accept the proposals, because it is opposed to your fundamental principles and your objective," asked Mr. Jinnah.

Demanding a categorical reply from the Viceroy, Mr. Jinnah asserted that on the night of June 24, the Congress Working Committee had rejected both the long-term and short-term proposals.

" Early on the morning of June 25, the indefatigable Sir Stafford Cripps went and woke up Mr. Gandhi in the Bhangi Colony. It seems he did not cut much ice. He came back and Lord Pethick-Lawrence was put on the scent of Mr. Vallabhbhai Patel, the strong man of the Congress. He waylaid Mr. Patel on the road and took him to his house and there they concocted a device. The Congress was persuaded to accept the long-term proposal even with their own interpretations and reservations and the Mission assured the Congress that it would abandon the interim government scheme of June 16.

" It is again like a drowning man catching a straw They wanted somehow or other to say that their Mission was not a complete failure. This is exactly what happened. Now I ask the Viceroy to issue a statement, giving a categorical explanation on this point. This is a grave charge against the honour, integrity and character of the members of the Cabinet Delegation and the Viceroy."

" All these prove clearly." Mr. Jinnah said, "beyond a shadow of doubt that the only solution of India's problem is Pakistan. (Cheers.) So long as tht Congress and Mr. Gandhi maintain that they represene the whole of India and so long as the Congress waste their money to no purpose but to create disruption among the Muslims and encourage men who have no sense of honour and morality by bribery, corruption and jobbery, so long as they deny true facts and the absolute truth that the Muslim League is the only authoritative organisation of the Muslims and so long as they continue in this vicious circle, there can and will be no compromise or settlement or freedom."

Mr. Jinnah maintained that it was a "bogus claim" of the Congress that it represented the whole of India. In the elections to the Constituent Assembly, out of 79 seats for Muslims, the Congress had secured only 3. The candidate from the United Provinces stood from three Muslim constituencies in the provincial elections and he was "kicked out everywhere."

"Mr. Gandhi now speaks as a universal adviser. He says that the Congress represents the whole of India and that the Congress is the trustee for the people of India. It is an alarming status he wants. We have enough experience of one trustee that has been here for 150 years. We do not want the Congress to become our trustee. We have now grown up. (Laughter.) The only trustee of the Muslims is the Muslim nation.

"Gandhi is the self-appointed trustee of the Harijans. Does he honestly believe that the Harijans have confidence in him? The Harijans are a blot on any civilised community. Sixty millions of them who have been tied down by social and economic tyranny for centuries and have been living in a miserable condition. What has Mr. Gandhi done to them since he assumed charge of the welfare of the Harijans? The Mission have betrayed the Harijans in order to appease the goddess of the Congress."

Mr. Jinnah proceeded to explain in detail the negotiations regarding the setting up of an interim government and said: "It is entirely untrue that I submitted any list on behalf of the Muslim League. On the contrary, I definitely said that I was not prepared to submit any list until I knew that there was an agreed settlement and if there was no agreed settlement, the Viceroy was bound to go ahead with one major party that accepted it and that I will submit my list at that stage.

"The Viceroy had no business to put my name when I had clearly made it known to him, in spite of his trying to persuade me, that I will not accept any office so long as I am the President of the Muslim Laague."

"Immediately, the Congress gave its reply," Mr. Jinnah said, "we gave our reply. Now we are told that clause 8 means something which it does not mean. Sir Stafford Cripps, when he was questioned in the House of Commons, found it very difficult to wriggle out of it and he resorted to jugglery of words and misleading the House. I am sorry to say that Cripps debased his legal talents and put this dishonest interpretation on this clause. He overpowered the venerable and idealistic Secretary of State."

Mr. Jinnah deplored that too much prominence had been given to the interview he had with the Mission on June 25. The Viceroy received the Congress reply at about 11 or 12 noon that day. It had not been stated anywhere that we were time-barred in accepting the proposal. It was not stated that the offer had been withdrawn. Of course, they would have been entitled to withdraw the offer had both the parties not accepted the offer.

A fantastic and dishonest construction was put on the clause 'by that ingenuous juggler of words, Cripps' to evade the formation of the interim government. It was only Mr. Alexander who intervened in the interview and said that the Mission had not arrived at any decision and that they wanted to know Mr. Jinnah's views.

Mr. Jinnah criticised Lord Pethick-Lawrence's statement that he (Mr. Jinnah) could not have a "monopoly of Muslim nominations."

"I am not a trader," Mr. Jinnah said. "I am not asking for concessions for oil, nor am I higgling and

haggling like a *bania*. Is it not absurd for the Secretary of the State for India to come out with this phraseology that Mr. Jinnah cannot claim monopoly. Are the Muslims a commodity"?

Mr. Jinnah thought that the Congress had acted throughout in a petty manner and their objective was to discredit and humiliate the Muslim League. If the Congress was really a national body, representing the whole of India, then why should it bestow its attention only on the Muslims and not on other communities.

Amplifying his remarks on the part played by the Cabinet Mission, Mr. Jinnah said: "The British Government have undoubtedly gone back on their words. They have played into the hands of the Congress. They have tried to propitiate the goddess of the Congress and postponed the formation of the interim government. They have accepted, what is not acceptance at all, on the part of the Congress of the long-term proposal.

"Can they conscientiously say from the way in which they conducted the negotiations here that they are entitled to expect from Muslim India faith in the Cabinet Mission or the British Government that has endorsed this statement? When representatives of His Majesty's Government go back on their own words within ten days and dishonour themselves and the Government they represent and the nation to whom they belong, what confidence can we have in these people?"

Malik Sir Firoz Khan Noon said that the Congress was responsible for the official Executive Council functioning at the Centre today. "If the Congress thinks that this Executive Council is short-lived, they are very much mistaken. In the absence of an agreement between the major parties in the country, it might continue for ten or fifteen years."

Sir Firoz pointed out that it was in the interest of the British to keep this official Executive Council in power to continue the economic exploitation of the country. "Let the Congress realise that Britain owes India 1,500 crores of rupees by way of sterling debts.

"There is an economic drain on the country which will never be known to the world unless the Government wanted to tell them. Fourteen annas out of every rupee thus drained would go from the Congress and the Hindus.

"If the Congress is thinking of getting into the Executive Council, without the League, let them do it. We shall stand aside. Let us see how they work it. They will not be able to work it for a day."

Sir Firoz Khan Noon counselled the League to keep out of the Constituent Assembly as well in the same manner. "The long-term proposals are nothing but a trick to keep us busy quarrelling with each other for the next fifteen years.

"The British Government wants peace in India for the next four years while they are in power and the most convenient device is to keep us engaged for some time with some proposals."

Sir Firoz pleaded for an understanding between the Congress and the Muslim League without which there was no use going into the Constituent Assembly. "Unless we have an agreement out of court, it will be most futile, foolish and suicidal for the Muslims to go into it (cheers). We are not going there merely to be outvoted."

Having accepted the Cabinet Mission's proposals, there were two alternatives now before the League, he said. "If the Congress do not agree out of court with us,

we can go into the Constituent Assembly, but do not take part in the union part of it.

"The Muslims can draw up a constitution for Pakistan and the Hindus for Akhand Hindustan. But then both these will go to London and probably remain in the archives there for ever. But even this will be dangerous for the Muslims, because the British Government will pick out some weak points and as self-styled arbitrators press something else on us.

"The best course for us is frankly to admit that we made a mistake in accepting the union of some sort proposed in the scheme and go back to our Pakistan ideal (cheers). The path of wisdom lies in the total rejection of the constitutional proposals.

"We will sit quiet and do nothing until the Congress has made the British quit. We shall eliminate ourselves for the time being, for, somebody has got to make sacrifices to achieve freedom for this country. We Mussalmans shall sacrifice, if we want freedom for ourselves, when we know that neither the British nor the Hindu is willing to make us free, from our own point of view, it is better we fight one of them and not both of them.

" When the Congress has turned out the Englishmen, we will know how to fight the Congress (cheers). Brave men can never be ruled by others (renewed cheers)."

Sir Firoz Khan Noon stated the Muslim League had committed " a great mistake in putting our cards on the table as straight and honest men dealing with men whose words we trusted and whose intentions could not be doubted.

" The second mistake was when we departed from our ideal of Pakistan, a completely sovereign State

for the Muslims of India, the issue on which we fought and won the election for it. Ever since we have fallen lower and lower. If you depart from the ideal, your movement will be dead in five years.

"Whatever programme we make for our future political progress, therefore, let there be one guiding beacon before us—a full sovereign, separate State of Pakistan. (Cheers.) If at any time we felt that we were willing for a partial union at the Centre, that was only a second stone towards Pakistan."

Sir Firoz Khan asserted a warning that if the British Cabinet Ministers had gone back on their word once, they would do it again in respect of the long-term proposals. "Those very Congress threats which frightened them will again weigh with them with regard to the constitutional long-term arrangement. You cannot look to the present Government in Britain for the protection of your rights. That door is closed, so far as we are concerned. Our future does not lie in the hands of the British."

The following are some of the League leaders' views:

"I am not prepared to accept responsibility for any decision as to the future unless you force it down my throat. It is your bounden duty to decide what we should now do, for you are the Parliament of the Muslim nation. The President and the Working Committee will carry out any policy laid down by you."—JINNAH.

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"In the circumstances, we have to reject the interim plan, the Constituent Assembly and the Union Centre contemplated by the Cabinet Mission. The time has now come for the Muslims to rely on themselves and take some action."—SIR GHULAM HUSSAIN.

"If the Muslims had to launch a struggle, let it not be against the Hindus. 'Our slogans must be revolution and not communal riots or civil war.' The Muslims will have to fight the Government, whether it is the British or the Congress. But they would not kill innocent women and children because they happen to be Hindus."—IFTIKHARUDDIN.

* * *

"Muslims should marshal their forces, secure as many neutrals as possible and then decide upon a target. Their objective is Pakistan which means the elimination of British Imperialism. They should, therefore, at once decide that British Imperialism is their target. Muslims are ready and willing to make sacrifices, but they should have a cause to sacrifice for." —ABUL HASHIM.

* * *

"The Congress is out to annihilate us and the British Government is at the back of the Congress. The Muslims are prepared to make all sacrifices that are demanded of them."—ABDUL HAYE

* * *

"There are only two alternatives open to the Muslims. Firstly, to go into the Constituent Assembly strictly in accordance with the terms of the Cabinet Mission's proposals; and secondly, if anybody tried to whittle the proposals down, then to evolve a constitution for themselves in accordance with their own wishes." —AZIZUL HAQ.

* * *

"The League should go into the Constituent Assembly and there prove the justness of its cause. If the Congress were to refuse the claims of the Muslims again, then the Muslim members in the Constituent Assembly should sit and frame their own constitution for Pakistan."—SHAUKAT HAYAT.

The following is the full text of the resolution withdrawing acceptance of the Cabinet Mission's proposals:

"On the 6th of June 1946, the Council of the All-India Muslim League accepted the scheme embodied in the statement of the Cabinet Delegation and the Viceroy dated 16th May, 1946, and explained by them in their statement dated 25th May, 1946. The scheme of the Cabinet Delegation fell far short of the demand of the Muslim nation for the immediate establishment of an independent and fully sovereign State of Pakistan comprising the six Muslim provinces but the Council accepted a union centre for ten years strictly confined to three subjects, *viz.*, defence, foreign affairs and communications since the scheme laid down certain fundamentals and safeguards and provided for the grouping separately of the six Muslim provinces in Sections B and C for the purpose of framing their provincial and group constitutions unfettered by the union in any way, and also with a view to ending the Hindu-Muslim deadlock peacefully and accelerate the attainment of freedom of the peoples of India.

"In arriving at this decision, the Council was also greatly influenced by the statement of the President, which he made with the authority of the Viceroy, that the interim government, which was an integral part of the Mission's scheme, was going to be formed on the basis of a formula *viz.*, five Muslim League, five Congress, one Sikh and one Indian Christian or Anglo-Indian and the most important portfolios to be distributed equally between the major parties, the Muslim League and the Congress. The Council authorised their President to take such decision and action with regard to further details of setting up the interim government as he deemed fit and proper. In that very resolution the Council also reserved the right to modify and revise this policy, if the course of events so required.

"The British Government have committed a breach of faith with the Muslim League in that the Cabinet Delegation and the Viceroy went back on the original formula of 5 : 5 : 2 for setting up of the interim government to placate the Congress.

"The Viceroy, having gone back on the original formula upon the basis of which the Muslim Council came to their decision on the 6th of June, suggested a new basis of 5 : 5 : 3 and after carrying on considerable negotiations with the Congress and having failed to get the Congress to agree intimated to the parties on the 15th of June that he and the Cabinet Delegation would issue their final statement with regard to the setting up of the interim government.

"Accordingly on the 16th of June the President of the Muslim League received a statement embodying what was announced to be the final decision for setting up the interim government by the Viceroy making it clear that if either of the two major parties refused to accept the statement of June 16 the Viceroy would proceed to form the interim government with the major parties accepting it and such other representatives as were willing to join. This was explicitly laid down in the paragraph 8 of the statement of June 16.

"Even this final decision of the Cabinet Mission of the 16th of June with regard to the formation of the interim government was rejected by the Congress whereas the Muslim League definitely accepted it although it was different from the original formula *i.e.*, 5 : 5 : 2,—because the Viceroy provided safeguards and gave other assurances which are in his letter dated the 20th of June 1946.

"The Viceroy, however, scrapped the proposal of the 16th of June and postponed the formation of the interim government on the plea concocted by the

legalising talents of the Cabinet Mission putting a most fantastic and dishonest construction upon paragraph 8 of the statement to the effect that as both the major parties *i.e.* the Muslim League and the Congress had accepted the statement of May 16 the question of the interim government could only be taken up in consultation with the representatives of both the parties *de novo*.

"Even assuming that this construction was tenable, for which there is no warrant, the Congress, by their conditional acceptance with reservations and interpretations of their own as laid down in the letter of the ex-President of the Congress dated the 25th of June and the resolution of the Working Committee of the Congress passed at Delhi on the 26th of June, repudiating the very fundamentals of the scheme, had, in fact, rejected the statement of the 16th of May and, therefore, in no event there was any justification whatsoever for abandoning the final proposals of the 16th of June.

"As regards the proposal embodied in the statements of the 16th and 20th of May of the Cabinet Delegation and the Viceroy, the Muslim League alone of the two major parties had accepted it.

"The Congress have not accepted it because their acceptance is conditional and subject to their own interpretations which is contrary to the authoritative statements of the delegation and the Viceroy issued on the 16th and the 25th of May. The Congress have made it clear that they do not accept any of the terms of the fundamentals of the scheme, but that they have agreed only to go into the Constituent Assembly and to nothing else and that Constituent Assembly is a sovereign body and can take such decisions as it may think proper in total disregard of the terms and the basis on which it is to be set up. Subsequently they made this further clear beyond doubt in the speeches

that were made at the meeting of the All-India Congress Committee in Bombay on the 6th of July by prominent members of the Congress and in the statement of Pandit Jawaharlal Nehru, the President of the Congress, to a press conference on 10th July in Bombay and then again even after the debate in Parliament in a public speech by him at Delhi on the 22nd of July.

" The result is that, of the two major parties, the Muslim League alone has accepted the statement of May 16th and 25th according to the spirit and letter of the proposals embodied therein, and in spite of the attention of the Secretary of State for India having been drawn to this situation by the statement of the President of the Muslim League of the 13th July from Hyderabad, Deccan, neither Sir Stafford Cripps in the House of Commons, nor Lord Pethick-Lawrence in the House of Lords in the course of the recent debate have provided or suggested any means or machinery to prevent the Constituent Assembly from taking decisions which would be *ultra vires* and not competent for the Assembly to take. The only reply to this matter that the Secretary of State gave was mere expression of a pious hope and said: 'That would not be fair to the other perties who go in?'

"Once the Constituent Assembly has been summoned and met, there is no provision or power that could prevent any decision from being taken by the Congress with its overwhelming majority, which would not be competent for the Assembly to take or which would be *ultra vires* of it and however repugnant it might be to the letter or the spirit of the scheme. It would rest entirely with the majority to take such decisions as they may think proper or suit them and the Congress has already secured by sheer number an overwhelming Hindu Caste majority and they will be in a position to use the Assembly in the manner in which

they have already declared *i.e.*, that they will wreck the basic form of the grouping of the provinces and extend the scope, powers and subjects of the Union Centre which is confined strictly to three specific subjects as laid down in paragraph 15 and provided for in paragraph 19 of the statement of 16th May.

"The Cabinet Delegation and the Viceroy collectively and individually, have stated several times that the basic principles were laid down to enable the major parties to join the Constituent Assembly and that the scheme cannot succeed unless it is worked in a spirit of co-operation. The attitude of the Congress clearly shows that these conditions precedent for the successful working of the constitution-making do not exist. This fact, taken together with the policy of the British Government of sacrificing the interests of the Muslim nation and some other weaker sections of the peoples of India, particularly the Scheduled Castes, to appease the Congress and the way in which they have been going back on their oral and written solemn pledges and assurances given from time to time to the Muslims, leave no doubt that in these circumstances the participation of the Muslims in the proposed constitution-making machinery is fraught with danger and the Council, therefore, hereby withdraws its acceptance of the Cabinet Mission's proposals which was communicated to the Secretary of the State for India by the President of the Muslim League on 6th of June, 1946."

The following is the full text of the resolution on Direct Action:

"Whereas the All-India Muslim League has today resolved to reject the proposals embodied in the statement of the Cabinet Delegation and the Viceroy dated May 16, 1946, due to the intransigence of the Congress

on the one hand and the breach of faith with the Muslims by the British Government on the other;

And whereas Muslim India has exhausted without success all efforts to find a peaceful solution of the Indian problem by compromise and constitutional means; and whereas the Congress is bent upon setting up a Caste Hindu *Raj* in India with the connivance of the British; and whereas recent events have shown that power politics and not justice and fair-play are deciding factors in Indian affairs;

And whereas it has become abundantly clear that the Muslims of India would not rest content with anything less than the immediate establishment of an independent and full sovereign State of Pakistan and would resist any attempt to impose any constitution, long-term or short-term, or setting up of any interim government at the Centre without the approval and consent of the Muslim League, the Council of the All-India Muslim League is convinced that now the time has come for the Muslim nation to resort to direct action to achieve Pakistan and to get rid of the present slavery under the British and contemplated future Caste Hindu domination.

This Council calls upon the Muslim nation to stand to a man behind their sole representative organisation,—the All-India Muslim League and be ready for every sacrifice.

This Council directs the Working Committee to prepare forthwith a programme of direct action to carry out the policy initiated above and to organise the Muslims for the coming struggle to be launched as and when necessary.

As a protest against and in token of their deep resentment of the attitude of the British, this Council calls upon the Mussalmans to renounce forthwith the titles conferred upon them by the Alien Government"

Khan Bahadur Jalal-uddin (N. W. F. P.) was the first to renounce his title immediately after the Council passed the two resolutions.

He was followed by Sir Ghulam Hussain Hidaytullah (Sind Premier), Khawaja Sir Nazimuddin (former Premier, Bengal), Sir Firoz Khan Noon, Nawab Sir Mehr Shah (Punjab), Sir M. Saadulla (former Premier, Assam), Khan Bahadur Khuro (Minister, Sind), Mr. Hassan Ispahani, O.B.E. and many others.

Nawabzada Liaquat Ali Khan, General Secretary of the League, announced that although the prefix Nawabzada to his name was not a title conferred by the British Government, he wanted to be addressed as only Mr. Liaquat Ali Khan.

Frenzied cheers greeted these 'big guns' of the League when they went up to the dais to renounce their titles. This created some disturbance. Mr. Jinnah intervened and said that he shared the joy of the House in the surrender of the titles but he wanted it to be done in a disciplined manner.

Since the passing of this resolution, numerous Muslim Leaguers from all parts of India had renounced their titles.

On July 31, Mr. Jinnah addressed a press conference at which he, in answer to questions, further clarified the position of the Muslim League with regard to the Council's resolutions passed on July 29.

He made it clear to a correspondent that the decision of the Muslim League to resort to direct action was not a declaration of war against anybody. This resolution was nothing but a statement concerning the steps the League proposed to take for the self-preservation and self-defence of Mussalmans.

Mr. Jinnah declined to indicate what the Muslim League would do in hypothetical circumstances, remarking that the situation would be met as it arose. He also declined to indicate the exact nature of the direct action which the League proposed to take nor the steps the League Council of Action would take in that direction.

Mr. Jinnah reiterated his earlier declaration that the Congress acceptance of the Cabinet Mission's plan envisaged in the Mission's statement of May 16 was not real acceptance, as it was conditional and therefore amounted to rejection or at best a counter-offer.

Mr. Jinnah charged the Congress with making vigorous preparations for launching a struggle more fierce than the 1942 struggle and said that instructions had gone out to Congressmen for this purpose. The help of the I.N.A. personnel was being sought to make the struggle effective.

While both the British Government and the Congress were armed in their own way, one with fire weapons and the other with threat of mass struggle the Muslim League felt it was high time it also forged its own sanctions and got ready for a struggle to enforce its demand for Pakistan.

Mr. Jinnah revealed that he had received a communication from the Viceroy, but declined to disclose the nature of it.

Mr. Jinnah said: "We maintain that the Congress has not accepted the scheme embodied in the statement of May 16 and it is quite clear from the letter of the President of the Congress of June 25 which is incorporated and endorsed in the resolution of the Working Committee at Delhi on June 26.

"That was confirmed by the A.-I.C.C. on July 7 and it was abundantly made clear by the speeches of the

outgoing President and the incoming President and other foremost top-ranking Congress leaders.

"Therefore, we naturally thought that this is a somewhat serious situation. In the meantime Pandit Nehru after the conclusion of the deliberations of the A.-I.C.C. made it clear on July 10 that the Congress was committed to nothing. He said that the Congress was going into the Constituent Assembly to turn it into a sovereign Assembly.

"Now the question is not as it is sometimes suggested that we are opposed to a Constituent Assembly. In fact our demand has been that there should be two sovereign Constituent Assemblies and for the obvious reason that if there is one sovereign Constituent Assembly, then it means the majority of the one nation would, with their overwhelming number of three to one, impose their decisions upon the majority of the other nation".

Referring to the long-term plan Mr. Jinnah said: "We were not satisfied with it. In fact it was far more favourable to the Congress point of view than our point of view.

"The only question was whether to accept it or not. We accepted it. I repeat what I said before that we accepted it with the full knowledge and understanding without any kind of equivocation.

"Why did we do that? We made a tremendous sacrifice in accepting a limited Pakistan that is minus three subjects, *viz.*, Defence, Communications and Foreign Affairs.

"We were actuated by the welfare of every community inhabiting India and we felt that it will free us in the shortest possible time from foreign domination and also lead us all to the attainment and

realisation of our independence. We understood perfectly well what we were doing. That was one vital consideration.

"The other consideration was that we thought even if we have to make a sacrifice, it is worth our while to do so to avoid strife, bloodshed, stalemates and deadlocks. We considered that an amicable and peaceful settlement was worth more and so we voluntarily and willingly delegated three subjects to the Union Centre.

"There is not the slightest doubt that after we did this the Cabinet Delegation and the Viceroy went back on their plighted word within ten days with regard to their proposal embodied in their statement of June 16, which was announced to be final. They put the most fantastic and dishonest interpretation on paragraph 8.

"I see now that they have discovered a new word, that the proposals 'lapsed.' Why? Because not that we the Muslim League did not accept the statement of June 16 in time but because the Congress accepted the statement of May 16 and rejected the statement of June 16.

"Paragraph 8 of June 16 statement sets forth only one of the terms. How on earth can you argue that although the Muslim League accepted the proposal within the time limit fixed the proposals have lapsed."

"The question is what is the true interpretation of clause 8? I maintain that the interpretation which the Mission put on it and still persist in is most fantastic and dishonest. I am not angered or peeved at all. But surely when one party has committed a breach of faith the other party has a right to indict it on this grave charge. If that is anger then I am angry."

Reiterating that the acceptance of the Congress of the long-term scheme was no acceptance but a counter-offer Mr. Jinnah said: "I cannot believe that men of experience such as the members of the Cabinet Mission and Viceroy could have possibly believed that this was an acceptance.

"Let me tell you why they believed it. Because they were trying to catch at a straw and justify that at any rate to some extent their Mission succeeded and they have misled the Parliament and the world."

"The Mission had already shaken our confidence. We thought that they were overawed and cowed down and coerced by the threats of the Congress which they held out throughout the discussions, both inside and outside."

"The Congress has been and is organising itself to launch a struggle of mass civil disobedience. Preparations are and have been going on in full swing. Indian National Army men are requisitioned, enrolled, financed and sent all over the country. Various other organisations have been set up and established.

"They are going through the necessary drills and physical training. In season and out of season everybody is informed that 'if we are not allowed to achieve our objective we are preparing ourselves to launch a struggle which will be a thousand times worse than the 1942 struggle.'

"The Muslim League alone has scrupulously kept itself within the constitutional orbit and has been following constitutional methods, believing in constitutionalism. It is, therefore, obvious that we sat at this conference and carried on negotiations with our hands and feet tied by constitutional methods and constitutionalism.

"We found that the British Delegation and the Viceroy and the British Government are under the spell of the sword of Democles hanging over their head that if the Congress is not appeased or satisfied it would launch a struggle which will be a thousand times worse than 1942.

"The question arises: 'Are we the only party to sit as we sat until now, with our hands and feet tied.'

"The British have machine-guns and can interpret what they say as they like. There is no tribunal to which you can appeal. They are the judges of what they say and act as they like.

"There is the other party. the Congress armed to the teeth with another kind of weapon which is not to be trifled with. We, therefore, are now forced for our self-defence and self-preservation to say good-bye to constitutional methods and we have decided now as part and parcel of our policy and programme to prepare and resort to direct action as and when the time may come to launch it."

Mr. Jinnah said that the Congress had already put into effect its interpretation of the State Paper by directing the Congress Party in the Assam Legislative Assembly to adopt a resolution on the floor of the House that they would have nothing to do with grouping. This was a definite and concrete act done by the Assam Assembly under the authority of the Congress High Command.

Mr. Jinnah recalled that the Secretary of State Lord Pethick-Lawrence in his broadcast on May 16 said that the Mission's proposals made it possible to secure the advantages of Pakistan without incurring the dangers inherent in the division of India and invited Indians of all parties to take part in the framing of the constitution.

The Muslim League also took the view that minus the three subjects, Groups B and C constituted Pakistan. They agreed that the Union would confine strictly to those three subjects for ten years but Pandit Nehru had since then made it clear that the Congress is not bound to confine itself to those three subjects only and that it was free to enlarge the scope and powers of the Union Centre.

Referring to foreign press reaction to the Muslim League's latest resolutions Mr. Jinnah said that he could not expect the British press to say that the Mission was guilty of breach of faith. Naturally the comment was that the decision the League had taken was a grave one and so it was.

He thought that there was an incorrect appreciation of the real situation. When some papers talked of democracy they forgot the realities in India. If India was a homogeneous country and one nation then one could talk of democracy.

But India was a subcontinent comprising of nationalities which Lord Pethick-Lawrence admitted during the recent debate.

Mr. Jinnah said: "There are two major nations here. This is the root cause and essence of our troubles. When there are two major nations how can you talk of democracy which means that one nation majority will decide everything for the other nation although it may be unanimous in its opposition.

"If all the Muslims were to say: We do not agree to this 'even then the majority decision will be forced on the Muslims as they are three to one.'

"If there is one nation then there is no trouble at all. These two nations cannot be judged by Western

democracy. But they should each be treated as equals and attempts should be made to solve the difficulties by acknowledging that fact. They should meet each other honestly and sincerely and try to come to some adjustment."

Mr. Jinnah declined to discuss the details of the proposed direct action. He said: "I am not prepared to tell you that now."

Asked if the Muslim League would join hands with other anti-Imperialist forces such as the Congress Mr. Jinnah said: "The Congress direct action has not been against the British. The direct action of the Congress on the various occasions it launched it and the last time in 1942, was to coerce and blackmail the British to by-pass the Muslim League and surrender to the Congress demands. That is exactly what it is doing now and that is exactly what the Mission was overawed with. The Congress has asked the British to quit. How can it, with self-respect, accept an interim government which is going to be formed under the Act of 1919. It was willing to do that at Simla provided the League was kept down."

Questioned if the resolution adopted ruled out the scope for negotiations, Mr. Jinnah said: "What are the other nations doing? Armed to the teeth with atomic bombs, are they not going on talking and discussing? Are they not at the same time going on with reparations. Is not the Government of India going on today with preparations to put down any party they like? Why do you want me (the League) alone to sit with folded hands? I am also going to meet the situation as and when it arises."

Asked if the proposed direct action would be violent or non-violent Mr. Jinnah said: "I am not going to discuss ethics."

Q.—Is this decision irrevocable?

Ans.—If you are a politician you will not ask me this question.

To further questions Mr. Jinnah replied: "In the direct action we envisaged we shall include any one who is willing to join us for the cause for which we may have to launch a struggle.

Q.—Would you consider the possibility of making an approach to the Congress?

Ans.—I have done my best and the initiative must now come either from the British Government or from the Congress.

Asked if he had any communication from the Viceroy relating to the formation of an interim government, Mr. Jinnah said that he had received a communication but he was told that it was entirely private. He declined to discuss the nature of the communication.

Mr. Liaquat Ali Khan, in a press interview said if Congress should form a government at the Centre the Mussalmans would resist it by all means and will make the functioning of such a government impossible.

He further said, "The possibility of the formation of a government by the Congress, which has been discussed widely since the Muslim League withdrew its acceptance of the British Cabinet Mission's proposals, would be a signal for the Muslim League to start its programme of 'direct action'. In view of the present situation there will have to be a fresh start and a new approach to the whole subject of Indian independence."

Asked what specific action might be taken, Mr. Liaquat Ali Khan replied: "We cannot eliminate any method. Direct action means any action against the law.

"Our decision is not a declaration of war but a declaration of our grim determination to preserve the one hundred million Muslims of India."

In response to a question regarding the course the Muslim League would take should Congress be called upon to form a government, Mr. Liaquat Ali Khan said :

"There are only two ways of resisting a government, by constitutional means and by direct action. We will resist it by any means and will make the functioning of such a government impossible."

In connection with the Constituent Assembly, Mr. Liaquat Ali Khan commented that "in view of the decision of the Council, no one elected to the Constituent Assembly as the nominee of the Muslim League shall attend the Assembly, if it is convened."

The question of withdrawal did not arise, he added, since the Assembly has never met.

Mr. Liaquat Ali Khan, questioned as to League's willingness to participate if Congress should evince a desire to form a government in co-operation with the Muslim League, pointed to Sardar Vallabhbhai Patel's recent statement.

Sardar Patel said, that "there is no possibility of a coalition between the Congress and the League, as they have diametrically opposite aims. Any attempt at a coalition between these two will end in disaster."

The League Secretary commented that "on the basis of Sardar Patel's statement, Congress never intended to participate in an interim government . . . all the time (during the Cabinet Mission negotiations) the Congress had decided not to be appeased if the Muslim League was to come into the coalition."

Mr. Liaquat Ali Khan declared that Sardar Patel's statement made it "obvious that they were, throughout the negotiations, fooling the Viceroy and the Cabinet Mission and making them shift from position to position in the hope of appeasing the Congress, whereas the Congress had made up its mind not to come into the interim government unless it was arranged in such a way that the Muslim League could be kept out.

"It would be pertinent to ask if the Congress explained this position to the Cabinet Mission and the Viceroy when the negotiations for an interim government were started by them for a coalition between the Congress and the Muslim League.

"From the facts as have been revealed since the Congress rejection of the Cabinet Delegation's and the Viceroy's proposals of June 16 for the formation of an interim government, it appears that the Congress did not make this position clear to the Cabinent Mission and the Viceroy."

Referring to the correspondence between the Viceroy and Mr. Jinnah, President of the Muslim League, about the interim government and the meetings of the Congress Working Committee in New Delhi, Mr. Liaquat Ali Khan added:

"It is quite clear from the fact that the Viceroy repeated the formula of 5 : 5 : 2 to Mr. Jinnah on June 3 and again stated on June 9 that an agreement was hoped to be reached on this basis, that the Congress up to that time had raised no objection to this formula, much less had placed before the Cabinet Delegation and the Viceroy their view as has now been stated by Mr. Patel that it was impossible for the Congress to have a coalition between the Congress and the League."

The League Secretary said that after the Muslim League accepted the Cabinet Delegation proposals the

Congress began raising objections which resulted in new proposals by the Viceroy.

"The object of the Congress," he added, "was to manœuvre the British into creating a position, which the League would be compelled to reject, instead of, like an honourable party, stating from the very beginning that it could not enter into partnership with the Muslim League, under any circumstances, in forming the interim government.

"I wonder if the British Government are at last able to see through the game of the Congress and realise that they have been made a cat's paw."

Dr. Ambedkar, Scheduled Caste leader, in a press interview, demanded that the Congress should issue a blue-print explaining how they were going to dispose of the destiny of the 60 million Scheduled Castes of the country.

The purpose of the *satyagraha* launched by the Scheduled Castes' Federation in Poona, he explained, was to get an answer from the Congress to this question and ask the Congress to make an open declaration of their plan to protect the interests of the Scheduled Castes in the future constitution of India.

The Scheduled Castes had no quarrel with the Muslims, for they were prepared to make a declaration of their intentions towards the protection of the rights of the Scheduled Castes and there would be no *satyagraha* in such provinces where the Muslims were in power.

The Congress, however, so far had been mute over this question. In the Constituent Assembly the Congress would be in a majority of three-fourths and they would decide the issues affecting the rights and

interests of the Scheduled Castes by their majority vote.

The Scheduled Castes were, therefore, entitled to get an answer from the Congress to their question.

It was wrong, however, to say, Dr. Ambedkar continued that a sense of frustration had been created in the minds of the Scheduled Castes. They had scored cent per cent victories though they have lost cent per cent seats.

Turning to the demands of the Scheduled Castes, Dr. Ambedkar said, one of them was the abrogation of the Poona Pact. "Why should we not agitate against it", he asked. "No treaty in the world is accepted as sacrosanct as the Poona Pact which has resulted in the political disenfranchisement of the very people in whose interests it was made.

"What we are asking for is that the deliberate opinion of one community should not be nullified by that of another community.

"In the primary elections wherever held in the country, no Congressman won against the Federation candidate. But in the general elections the candidates selected by their community were rejected and 'stooges' and 'tools' of another party came on top because of Caste Hindu votes."

Dr. Ambedkar demanded that any arrangement made for the political protection of their community must be "fool-proof and knave-proof".

Dr. Ambedkar appealed to those who had the interests of the masses in their heart to join the Scheduled Castes in their *satyagraha* campaign.

"Independence might not necessarily mean freedom and liberty for all. The power might pass in the

hands of a small junta who might subject the masses to a greater harassment than they had experienced before.

"We are prepared" Dr. Ambedkar declared, "to carry on the struggle whether help comes or not, to the bitterest end on moral plan."

Sardar Vallabhbhai Patel, speaking at a public meeting held to celebrate the Tilak Anniversary, answered a number of points raised by Mr. Jinnah in his speeches at the League Council and hi sutterances at a press conference.

He said, "If Mr. Jinnah means business, it is for him to make a friendly approach and drop all ideas of threats and insinuations."

"The British have decided to leave India, whether we wish it or not, as they cannot stay here in any circumstances. It is, therefore, in the interest of the Muslims themselves to give up their present attitude and take the constructive path of co-operation.

"Sardar Patel at the outset compared the meetings of the All-India Congress Committee and the League Council and said that while at the A-I. C. C. meeting no attack or insinuation was made on the Muslim League, the speeches at the League Council were full of abuse and insinuations both against the British Cabinet Mission and the Congress.

"Mr. Jinnah now claims that he has placed a pistol in the hands of the League, which can be used both against the British Government and the Congress. Much had been made of the renunciation of titles by members of the League. Such renunciation in his opinion was futile in the face of the British declaration to quit India. Such a demonstration could not impress anyone."

"Continuing, Sardar Patel said the threatened direct action by the League, if it was real, was not aimed at the British but at the Congress because the British had already made it clear that they had no intention of staying in India and, therefore, it could only mean that the threatened action was against the Congress. If it was an attempt at pressure tactics to gain a point over the Congress, it was hardly likely to succeed, because the Congress would never compromise its principles or yield to threats on fundamentals.

Mr. Jinnah had referred to him (speaker) as being responsible for the League's discomfiture and had alleged that some secret deal had been made by the speaker on behalf of the Congress with Cabinet Delegation. Mr. Jinnah had not been so far able to produce any evidence in support of his allegation. 'In fact, I would say it was Mr. Jinnah who entered into a secret understanding and obtained promises behind the back of the Congress, which in the nature of things could not be fulfilled. He, therefore, complains now of the non-fulfilment of those pledges and assurances, and he is naturally angry.'

Mr. Jinnah's complaint, continued the Sardar, is that the Congress accepted the Cabinet Mission's statement of May 16 and made it impossible for the League to form an interim government leaving the Congress out. Mr. Jinnah knows, as everyone else does, that the Congress has declared its willingness to let the League form a government if it chooses but the fact is the League by itself is unable to form a government.

"I want to make it clear that there is no possibility of a coalition between the Congress and the League, as they have diametrically opposite aims. Any attempt at a coalition between these two will end in disaster. In England there was a coalition between Labour and the Conservatives during the war. But then they had a common objective, namely, the defeat of Germany and

Japan. But here in India Mr. Jinnah comes in with the avowed object of dividing India into Hindustan and Pakistan, whereas the Congress goes in to work for a united federal India. How can these parties coalesce? There is no common objective.

"I do not understand what new situation has arisen which entitles the League to withdraw its acceptance of the long-term plan. Mr. Jinnah complains of Pandit Nehru's press interview in which he has stated that the Congress has agreed to go into the Constituent Assembly and it is free to do what it likes inside the Assembly.

"Mr. Jinnah forgets that he himself in his speech at the League Council at Delhi in accepting the Cabinet Mission's plan said similar, if not worse things. He said that the League was accepting the long-term plan, because it contained the foundation of Pakistan and that the League hoped to build a full-fledged Pakistan on that foundation. In the very same speech he had said that the Congress had swallowed the sugar-coated pill of Pakistan. The League resolution accepting the long-term plan also contained similar expressions. Where then is the justification for Mr. Jinnah to complain against the Congress President?

"The Congress will never assume responsibility for breaking such a solemn undertaking. If the League chooses to withdraw from its obligations undertaken after full and mature consideration, it should not attempt to find excuses and try to throw the blame and responsibility for such withdrawal on other shoulders. It must be prepared to face the full consequences of such a decision."

Sardar Patel then referred to Mr. Jinnah's "suddenly-developed friendliness and tender regard" for the Scheduled Castes and said that it was Mr. Jinnah who persistently refused to agree to accord adequate repre-

sentation to the Scheduled Castes in the interim government in proportion to their population. He insisted that the representation to the Scheduled Castes in the interim government should be restricted in the same manner as he objected to representation being accorded to other minorities such as the Parsees.

Dealing with Mr. Jinnah's claim that the Viceroy had assured him parity of representation in the interim government on the basis of 5 : 5 : 2, the Sardar said that the Viceroy had already promptly denied this charge and yet Mr. Jinnah went on repeating it.

Assuming for the moment that the Viceroy had given such an assurance to Mr. Jinnah, the Sardar said he could not understand how a man of Mr. Jinnah's eminence could believe for a moment that the Congress would accept such a proposal. The Congress had made no secret of the fact that it would not accept parity of any kind, nor would it agree to allow any minority to go unrepresented in the interim government.

Continuing, Sardar Patel said Mr. Jinnah's secret deal to keep the Congress out of the interim government had been fully exposed by the publication of the correspondence. "What right has Mr. Jinnah now to complain of deception and treachery on the part of the Cabinet Mission," he asked. Mr. Jinnah had attempted the impossible in trying to make the Congress accept a position in which it would come to be regarded as a communal body. He should have known, that the Congress would resist such an attempt. "Why should he be angry with the British Cabinet Mission for their failure to make the Congress accept such a position?"

"Mr. Jinnah is angry with the Cabinet Mission because they had openly declared that they never

accepted Mr. Jinnah's claim that he had the monopoly of Muslim representation. Mr. Jinnah now proclaims that he had made his gesture and the next move rests with the British and the Congress. This is adding insult to injury. He had abused both the Congress and the Cabinet Delegation. Does he mean this is the gesture he has made? Does he expect the British and the Congress to take the next step because he has abused them?

"In all his life Mr. Jinnah has never made an approach to the Congress ever since he left that organisation. The Congress has made repeated approaches and often conceded his unreasonable demands. It has never yielded to threats in the past and it will not do so in the future.

"While the Congress is opposed to parity of any kind I can assure Mr. Jinnah that it will not be opposed to Mr. Jinnah's forming the whole Cabinet in the manner he likes once he drops his communalism and adopts nationalism."

Sardar Patel then referred to the Pakistan demand and said that up to now the Muslim League was counting on British help to secure Pakistan. The League could not prove its case before the delegation. It accepted the rejection by the delegation of the Pakistan demand. It is absurd at this stage to revive the old cry or to flog the dead horse. The Pakistan case was fully examined by the Cabinet Delegation. The League was unable to support it either economically or politically. The Cabinet Mission was, therefore, unable to accept it. "If Mr. Jinnah means business it is for him to make a friendly approach and drop all idle threats and insinuations. It is in the interests of Muslims themselves to give up quarrel and to take to the constructive path of co-operation."

Mr. Jinnah in an interview declared that Sardar Patel's suggestion to refer the League's case to arbitration was not acceptable to him.

He said the proposal had been made to impress the ignorant public here and abroad that the Congress was so reasonable and so conciliatory but the Muslim League was intransigent. He declared, "The Muslim demand for Pakistan is based on the right of self-determination and cannot be a justifiable issue for arbitration".

Mr. Jinnah said: Mr. Vallabhbhai Patel in a recent speech on the Congress Working Committee's resolution at Delhi on June 26 and the A.-I.C.C. at Bombay on July 7, to quote his words, said. "The Working Committee's resolution said clearly that it accepted the declaration of May 16. It still stood by it. Certainly it had the right to interpret the document." This is misleading. The document embodied four main proposals.

First, the declaration which alone, he says, the Congress has accepted. The basic form and the grouping of the provinces in paragraph 19 of the document and the formation of the interim government have not been accepted by the Congress. And this is clear from the letter of the Congress President of June 25 whereas the Congress rejected the statement of June 16 regarding the interim government and only accepted the statement of May 16 with reservations and with their own interpretations.

This being a conditional acceptance was in fact and in law a rejection of the statement of May 16. The letter winds up by saying: "We also gave our interpretation to some of the provisions of the statement. While adhering to our views we accepted your proposals and are prepared to be working with a view to achieve our objective."

"The resolution of the Working Committee proceeds to lay down that there was sufficient scope for enlarging and strengthening the Central Government and for fully ensuring the right of provinces to act according to their choice in regard to grouping.

"Congress leaders have said at the A-I.C.C. that they have not accepted the long-term plan of the Cabinet Mission as it was and that they have rejected the short-term of June 16, and now Mr. Patel has the audacity to say that the League has gone back on its pledged word.

"To whom did we pledge our word and to what had we pledged our word? One of the two major parties has not accepted the long-term plan and rejected the short-term plan and this was pointed out by me immediately by my press statements that I made at Delhi on June 27 and 29 and also by the resolution of the Muslim League Working Committee passed on June 26 accepting both.

"I had pointed out that the Congress had not accepted the long-term plan and rejected the interim government proposal. The Cabinet Mission had scrapped the interim government proposal and had gone back on their word. We, therefore, decided to call a meeting of the All-India Muslim League Council at Bombay on July 27 and 28 to consider and to meet the new situation that had arisen, to which Pandit Nehru retorted that the Congress would create many more new situations. In the meantime, Pandit Nehru and other Congress leaders, including Mr. Vallabhbhai Patel made it clear in their speeches and public utterances in Bombay that the Congress had not accepted the statement of May 16 and committed to anything.

"Further on July 10 Pandit Nehru, the Congress President, made it crystal clear to a press conference that the Assam Assembly, in accordance with the

instructions of the Congress High Command, after having elected their representatives to the Constituent Assembly, decided to have nothing to do with "C" Group from the very start, although there was a very strong opposition to this from the representatives of the minorities, including Muslims but it was carried by an overwhelming Congress majority.

"Further at a public meeting in Delhi on July 22 Pandit Nehru reiterated that they were going to the Constituent Assembly to achieve their objective and to serve their purpose and if they failed they would kill it.

"This was after the debate that took place in Parliament on July 18. This left no doubt that the Congress was going to the Constituent Assembly to achieve their objective as has been repeatedly stated in the letter and the resolution of the Congress.

"It made its intentions clear that it was not bound by the grouping nor were they confined strictly to the basic form of the document and unequivocally asserted that they were free to enlarge the scope and powers of the Union and add as many subjects as they may wish to do to the Union Government.

"We know what is the objective and purpose of the Congress. The Congress believes that they have secured a declaration from the British Government of complete independence of India outside the Commonwealth of Nations and that this constitution-making machinery should be turned into a sovereign body and the only thing for them now remains is to frame a constitution on the basis of a strong United India Federal Government with vital powers and subjects such as defence, foreign affairs, communications, customs, finance, commerce, planning, industry and tariff and further with power to step in if a constitution of any Provincial Government was not working according to

their conception thus reducing the provinces to a position no better than municipalities or county councils.

"Mr. Patel says that no individual statement or expression of opinion could alter the solemn resolution and the resolution is clear. But are we to disregard the pronouncement of the President of the Congress when he further clarifies a resolution? Then what importance are we to attach to the individual pronouncements like Mr. Patel's?

"Mr. Patel says: 'The League and the Congress pull in opposite directions. One wants to divide India into Pakistan and Hindustan while the other yearns for a United India.' 'It was clear', Mr. Patel adds, 'that the two have no common meeting ground and that coalition between the Congress and the League was impossible for the organisations' views were diametrically opposed to each other.'

"But when we demand Pakistan and division of India into Hindustan and Pakistan our scheme gives freedom and independence to both the major nations—the Hindus and the Muslims—whereas the Congress and Mr. Patel are adamant and wish to establish a United India with a strong Federal Central Government, which means that 100 million Muslims are to be brought under the yoke of Caste Hindu majority rule; and it means freedom only for the Hindus and slavery for the Muslims under Hindu *raj*. How can then there be a common meeting ground on this basis for which, I have no doubt, many Caste Hindus passionately yearn and Mr. Patel dreams.

"Having declared that we stand poles asunder, Mr. Patel advises me that I should change my approach and cease to be a communalist and become a nationalist —I suppose he means a Congress nationalist—and accept that the Congress represents all India, on the imaginary

footing that India was one country and one nation. Whereas the facts are that the Congress is nothing but a Caste Hindu organisation.

"But his advice that I should become a nationalist and cease to be a communalist means nothing except that I should bury the Pakistan demand, disown the Muslim nation and appear before him in sack-cloth and ashes, and after that, when we have entirely thrown ourselves at their mercy we can have as many seats in the proposed executive as we like, as their creatures.

"Mr. Patel is speaking in terms of contradiction On one hand, he says there is no meeting ground and coalition is impossible as we are poles asunder; but on the other hand, he says that the Congress had gone to my doors a hundred times. This, of course, is not true. I have never declined to go to them. The truth is that three times in the course of the last eight years Mr. Gandhi came to me with a view to persuade me to accept the Congress demands which I could not.

"Does Mr. Patel want me to go to the Congress to persuade them to accept the Pakistan demand of the Muslims which he characterised in his speech as a 'deflated cycle tube'. Last time when Mr. Gandhi came to me he came only in his individual capacity to understand what the Pakistan demand meant, and I spent three weeks with him to convert him but I failed.

"This sort of talk is really intended to poison the mind of the Hindus and Mr. Patel is only suffering from an inferiority complex. At Simla when it was arranged that Pandit Nehru and I should meet. I asked him where we can meet and he himself said 'I shall go over to you.' When we met on May 11 during the conference time I pleaded before him for one and a half hours and appealed to him to come to a settlement on the basis of Pakistan but he was adamant.

"Before parting I cautioned him that he should not be poisoned by taunts that he had come to my place and that I was not willing to go to his place. The place really does not matter, and it is so petty to trot this out in a manner which Mr. Patel has done. I told Pandit Nehru that if after consulting his colleagues he wished to discuss the matter on the basis of Pakistan and gave me an appointment, I would gladly go to his place or anybody else's place that he may wish.

' Mr. Patel makes a passionate appeal. After having made it clear that there was no meeting ground, he invites me to sit with the Congress as 'brothers' and join them to break the statement of the Mission. Well, we have already torn up the statement of May 16. He doubts our desire for freedom when he says that we should join hands with the Congress, if we are keen upon freedom. And finally, he says: 'When we have sat as brothers and if there is no agreement possible let the matter be referred to arbitration and let us abide by the award of the arbitrator.'

" This proposal is made again to impress the ignorant public here and abroad that the Congress is so reasonable and so conciliatory but the Muslim League is intransigent. Mr. Patel knows perfectly well and I have pointed out more than once that the demand for Pakistan is based on the right of self-determination of the Muslims which is their birthright and it is not and cannot be a justifiable issue on principle alone. It is absurd to say that this matter particularly be referred to arbitration.

" Even on practical grounds who will select the arbitrators and who will enforce their award? No country can run its government unless its constitution is framed by the willing consent of the people concerned. For this very reason the Congress and the Muslim League had demanded Constituent Assemblies of the representatives of the people to frame the constitution.

" Then why talk of the Constituent Assembly and why not refer the whole matter regarding the entire framing of the constitution to the arbitration of a few ?

"Therefore, the proposal of arbitration is ludicrous, Mr. Patel knows better than anybody else that it could not be accepted, both on grounds of principle and as a practical proposition.

"Mr. Patel has now become the champion of the British whom he says I have traduced, and complains that I have abused the Congress. He does not specify what are those abuses. I have certainly attacked and criticised the Congress and charged them with disrupting the Muslims and have exposed their false claim that they represent all-India, including Muslims which certainly is not true. All my attacks and criticism have been in self-defence against the most aggressive and arrogant attitude of the Congress.

"The Congress has made every effort to mislead people here and abroad aided with its vast and powerful press and organisation and has accused me and the Muslim League that we are a tool in the hands of British Imperialism; and not a day passes when the Congress press does not abuse the League and myself.

"There are many inaccuracies in Mr. Patel's statement and they are merely intended as propaganda for the Congress, and to mislead the people abroad by pressing that their's was a conciliatory attitude whereas the League was intransigent."

Sir Chimanlal Setalvad, Liberal leader, in a statement said, "Congress, as the dominant party should stoop to conquer and reassure the Muslim League that the White Paper scheme will be scrupulously adhered to.

"Very regrettable events have taken place during the last few days in the political sphere in this country. The Muslim League, under the guidance of Mr. Jinnah, has reversed its decision to enter the Constituent Assembly and has proclaimed its firm resolve to be satisfied with nothing else than Pakistan.

"There has not been sufficient realisation of the importance of the first decision of the League to agree to a common Centre, however restricted, and to enter into the Constituent Assembly to frame a constitution for one united India.

"It, therefore, behoved the responsible leaders of the Congress not to have done or said anything to disturb the calm atmosphere. Instead, some responsible leaders, including the President of the Congress, proclaimed that the Congress was committed to nothing except to enter the Constituent Assembly.

"Attempts have been made to modify and explain away the full import of these utterances, but the mischief has been done. The scheme of the State Paper of May 16, is one and indivisible. No party can accept one part and reject another. Some of the fundamentals of the scheme cannot be altered or disregarded except by consent of the parties concerned. However, it is no use crying over spilt milk.

"The more important question is how the mischief done is to be repaired so as to bring the parties to the situation that existed when both the Congress and the League expressed their willingness to enter the Constituent Assembly. How is this to be done?

"I venture to think that the Congress, as the dominant party, should stoop to conquer. It should officially and categorically declare and reassure the League that there is no intention to disavow any part of

the scheme in the State Paper and that it will be scrupulously adhered to. If there is any *bona fide* dispute as to the interpretation of any provision the Cabinet Mission should be asked to clarify the matter. It is no use arguing that the Congress resolutions are clear, and that the utterances of individuals do not matter. The utterances of high office-bearers cannot be so lightly brushed aside. An official Congress statement is necessary.

"The whole surcharged political atmosphere owes its origin to mistrust between the Congress, the League, the Sikhs and the Scheduled Classes and it is the duty and privilege of leaders to beget trust and confidence."

CHAPTER XIV

NEW MOVE FOR INTERIM GOVERNMENT

Unaffected by Lord Wavell's letter to Mr. Jinnah dated July 22 (a similar letter was sent to the Congress President too) making certain proposals for the formation of an interim government, the Council of the All-India Muslim League reversed at Bombay on July 29, its Delhi decision accepting the Cabinet Mission's proposals and passed what is known as the Direct Action Resolution.

To meet the situation that might be caused in the country on account of this resolution of the League, the Viceroy, sensing utmost trouble in the Muslim majority provinces, called the Governors of N. W. F. P., Punjab, Sind, Bengal and Assam for special consultation. According to press reports, measures to combat the threatened situation were discussed at this conference.

The Congress Working Committee which met at Wardha passed the following resolution, on August 10, on the Muslim League's decision to launch direct action :

"The Working Committee regrets to note that the Council of the All-India Muslim League reversing their previous decision, have decided not to participate in the Constituent Assembly. In this period of rapid transition from dependence on a foreign power to full independence, when vast and intricate political and economic problems have to be faced and solved, the largest measure of co-operation among the people of India and their representatives is called for, so that the change over would be smooth and to the advantage of all concerned.

"The Committee realises that there are differences in the outlook and the objective of the Congress and the Muslim League. Nevertheless, in the large interests of the country as a whole and the freedom of the people of India, the Committee appeals for the co-operation of all those who seek freedom and the good of the country, in the hope that co-operation in the common tasks may lead to the solution of many of India's problems.

"The Committee further notes that criticisms have been advanced on behalf of the Muslim League to the effect that the Congress acceptance of the proposals contained in the statement of May 16 was conditional. The Committee wishes to make it clear that while it did not approve of all the proposals contained in this statement it accepted the scheme in its entirety."

"The Committee interpreted it so as to resolve the inconsistency contained in it and fill the omissions in accordance with the principles laid down in that statement. It holds that provincial autonomy is a basic provision and each province has the right to decide whether to form or join a group or not. The question of interpretations will be decided by the procedure laid down in the statement itself and the Congress will advise its representatives in the Constituent Assembly to function accordingly.

"The Committee has emphasised the sovereign character of the Constituent Assembly that is, its right to function and draw up the constitution for India, without interference of any external power or authority, but the Assembly will naturally function within the internal limitations, which are inherent in its task and will further seek the largest measure of co-operation in drawing up the constitution of free India, allowing the greatest measure of freedom and protection for all just claims and interests.

"It was with this objective and with the desire to function the Constituent Assembly and make it a success that the Working Committee passed the resolution of June 26, 1946, which was subsequently ratified by the A. I. C. C. on July 7. By that decision of the All-India Congress Committee the Congress must stand and it proposes to proceed accordingly with its work in the Constituent Assembly.

"The Committee hopes that the Muslims, and all others concerned in the wider interests of the nation as well as of their own, will join in this great task."

Mr. Jinnah considered this resolution of the Congress Working Committee as a repetition of the Congress stand put in different language and phraseology!

The following is the full text of Mr. Jinnah's statement:

"The entire scheme of the British Cabinet Mission consisted of the long-term-plan statement of May 16 and May 25 and the short-term proposal of setting up an interim government. These two formed integral parts of the whole scheme and were interdependent and indivisible.

"The Muslim League accepted both whereas the Congress rejected the interim government proposal of June 16 and accepted the statement of May 16 conditionally with reservations and their own interpretations.

"The Cabinet Mission and the Viceroy scrapped the interim government proposal of June 16 and treated the Congress decision communicated to them on June 25 and 26 wrongly as acceptance. The so-called acceptance was, in fact, a rejection.

"After that the Viceroy declined to postpone the elections to the Constituent Assembly on the plea that arrangements for it had gone too far ahead.

"Although the arrangements with regard to an interim government were complete and the resignations of the then members of the Executive Council were held by him, and according to the statement of June 16 interim government was to be set up on or about June 26, yet it was scrapped. After this the Muslim League was free to take such decision as it thought proper as the entire basis of the scheme had fallen through.

"It was only the Council of the All-India Muslim League that could finally have decided our attitude and in these circumstances we summoned the Council of the All-India Muslim League in Bombay on July 29 and they decided to withdraw our acceptance formally."

Mr. Jinnah adds: "In the meantime we decided to contest the elections to the Constituent Assembly in order to prevent undesirable people getting in as Muslim representatives. We captured 95 per cent of Muslim seats.

"Meanwhile, before the Council of the Muslim League had met, Congress leaders including the President in their speeches at the All-India Congress Committee meeting on July 6 and 7 made their pronouncements, which created grave apprehensions in Muslim League circles, expressed by Mr. Liaquat Ali Khan, Secretary, All-India Muslim League, in his statement from Delhi and by me in my statement from Hyderabad on July 13.

The Assam Assembly, while electing Assam's representatives to the Constituent Assembly, had,

under the instructions of the Congress High Command, passed a resolution giving a mandate not only to Congress members but also to Muslim representatives elected by a separate block of Muslim members, to have nothing to do with the 'C' Group from the very start.

"This clearly repudiated the fundamental terms of the statement of May 16 and this is an instance of how the majority acted although it is highly doubtful whether the Assam Assembly was competent to give such a mandate to representatives to the Constituent Assembly.

"The latest resolution of the Congress Working Committee passed at Wardha on August 10 does not carry us anywhere because it is only a repetition of the Congress stand taken by them from the very beginning only put in different language and phraseology.

"This is what they say with regard to their decision on the long-term plan :

> 'The Committee further noted that criticisms have been advanced on behalf of the Muslim League to the effect that Congress acceptance of the proposals contained in the statement of May 16 was conditional. The Committee wish to make it clear that, while they did not approve of all the proposals contained in this statement, they accepted the scheme in its entirety.'

"The resolution further continues :

> 'They interpreted it so as to resolve the inconsistency contained in it and fill the omissions in accordance with the principle laid down in that statement.'

"Therefore, to start with, they are free to resolve the inconsistency and fill in the omissions. How can that be in accordance with the principle laid down in that statement ? What is the inconsistency and what are the omissions ?

" The resolution proceeds further and says :

> 'They hold that provincial autonomy is a basic provision and each province has the right to decide whether to form or join a group or not.'

" Therefore they maintain that it is open to the Congress to decide whether any particular province could join a group or not. But they go on to say :

> 'The question of interpretations will be decided by the procedure laid down in the statement itself and the Congress will advise its representatives to the Constituent Assembly to function accordingly.'

" Who will decide this question of interpretations and by what procedure ? And what is the procedure laid down in the statement for the purpose of interpreting the statement or any clause thereof except by brute majority ? The resolution then goes on further :

> 'The Committee have emphasised the sovereign character of the Constituent Assembly, *i.e.*, the right to function and draw up a constitution for India without the interference of any external power or authority, but the Assembly will naturally function within the internal limitations which are inherent in its task and will further seek the largest measure of co-operation in drawing up a constitution for a free India, allowing the greatest measure of freedom and protection for all just claims and interests.'

"Therefore it is obvious that they still hold that this constitution-making machinery is a sovereign

Constituent Assembly and they resent any interference of any external power and authority. Who, has suggested it and where has it been suggested?

"The question is how this Assembly will function. They make it clear that it will do so with internal limitations which are inherent in its task. What are the internal limitations in the statement of May 16 which could not be overruled by a sovereign Constituent Assembly?

"If any decisions are taken by this Assembly which are repugnant, *ultra vires* or incompetent for the Assembly to adopt, what is the check provided for it either internally or externally except against brute majority in the Assembly?

"They conclude by saying that the resolution of the Working Committee passed on June 26 and confirmed by the A.-I. C. C. 'must stand and they propose to proceed accordingly with their work in the Constituent Assembly'.

"Therefore it is quite clear that there is no change on the part of the Congress except the startling expression that they had accepted the scheme in its entirety, which is immediately contradicted by what follows in the resolution; and they have reiterated their repudiation of grouping and emphasised once more the sovereign character of the Constituent Assembly, which can only mean that it will not be bound by anything laid down in the statement of May 16 and would be free to decide every question by majority.

"I need not deal with the rest of the resolution which is nothing but verbiage and an appeal to the Muslim League to join the battle for India's independence.

"But there is no doubt left as to India's independence now because the statement of May 16 at any rate makes it clear on the part of the British, and Mr. Patel in his recent speech in Bombay said there was no need any longer to fight the British and that the only revolution that was needed was internal revolution.

"With whom does the Congress ask us to join hands and for what purposes? I am afraid the situation remains as it was and we are where we were".

In view of the League Council's Bombay resolution of July 29, the Viceroy invited the Congress President to make proposals for the immediate formation of an interim government.

On August 12, a communique was issued from the Viceroy House the text of which is given below:

"His Excellency the Viceroy, with the approval of His Majesty's Government, has invited the President of the Congress to make proposals for the immediate formation of an interim government, and the President of the Congress has accepted the invitation. Pandit Jawaharlal Nehru will shortly visit New Delhi to discuss his proposals with His Excellency the Viceroy".

Dawn's political correspondent's inside story which he gave out after the above announcement will make an interesting reading.

The correspondent alleged:

"The brief press communique issued on Monday from the Viceroy's House, annouucing that Congress has been asked to submit proposals for the formation of an interim government seems to conceal more than it reveals.

"For instance who would deduce from this that clandestine propaganda offensives are being hatched in

the highest quarters to feed selected sections of the Indian and the foreign press in order to create a favourable impression for the Congress and a hostile impression against the Muslim League? And yet this is what is going on.

"I have it on good authority that on Monday, the beginnings of this new official propaganda policy were laid in Viceroy's House, the chief participant and inspirer being no other than His Excellency Field-Marshal Lord Wavell.

"The 'soldier Viceroy' is understood to have sent for Mr. B. L. Sharma, Deputy Principal Information Officer, and asked him to prepare a secret hand-out. In it, the Congress attitude was to be depicted as right and the Muslim attitude as wrong. The Information Officer was suitably briefed for this purpose by His Excellency himself.

"Mr. Sharma returned to office and produced a draft with which he called on the Viceroy again. After discussion, Mr. Sharma modified and revised the draft in certain particulars and went to see his master for the third time. Then the draft was finally approved.

"This confidential document was passed on to a limited number of 'safe' press correspondents in the darkness of Monday night and they were asked to take the indicated line in their despatches and write ups. Other pressmen were not taken into confidence.

"When I mentioned this to a League leader, he remarked: 'From pledge-breaking to propaganda—hatching is an easy transition. When men in high places start rolling downhill, there is hardly anything unworthy to which they will not stoop.'

"This is the first time that a Viceroy has collaborated with an employee of his Government in such a transaction."

The Government, on the other hand, came out with a categorical denial of the allegations, and affirmed that:

(1) "Neither Mr. Sharma, nor any Information Officer, nor any "Publicity Officer" had seen the Viceroy for several weeks:

(2) "No such officer visited the Viceroy's House at all on Monday:

(3) "No 'confidential document' of the kind alleged 'went out' from the Viceroy's House or P. I. O.'s office 'that day.'"

The correspondent said, "I restate and reaffirm that anti-League 'background material' was prepared and handed out to some correspondents.

"I repeat that Mr. Sharma did visit Viceroy's House on Monday (August 12)."

Here is the fuller story:

"On Monday Mr. B. L. Sharma received a telephone call from Viceroy's House. Mr. Sharma was heard to say that he was dressed only in his shirt sleeves and could not come right away. He later on went to Viceroy's House. He came back and prepared some draft which was cyclostyled.

"In the Viceroy's House the Information Officer may not have actually *seen* the Viceroy, but the Viceregal will and pleasure is not always, and need not be, personally communicated to subordinate employees.

"What did the document contain? Let the Bombay Hindu newspaper *Free Press Journal* answer that question.

"In its city edition of Wednesday the paper published a revealing despatch from its New Delhi correspondent, facsimile of the relevant extract from which is reproduced below:

SPECULATION IN INDIA

'In Secretariat circles it is believed that the new interim government under the auspices of the Congress will begin to function about the 21st of this month. This belief is strengthened by the fact that the Press Information Bureau Chief Mr. A. S. Iyyengar who is in Simla and was due back about the 24th is coming down on the 17th.

'A background to the Viceregal communique inviting the Congress President to form an interim government was provided today by an official spokesman who told the Free Press of India that Government had made the final choice of handing over power by entrusting the Congress with the task of forming the interim government.

'The whole procedure of tripartite talks has been changed for the first time because the Muslim League ruled itself out of court by rejecting the Cabinet Mission's plan.

'On the contrary, the Congress for the first time accepted the plan in its entirety. It appears that the Viceroy has placed the responsibility of forming the Government solely on the shoulders of the Congress which signifies that the Congress has been shown political justice for the first time.'

"This message was filed in New Delhi either late on Monday night or on Tuesday morning.

"It specifically refers to a 'background'.

"It says the background was provided by an official spokesman.

"It quotes from that background, arguments which are clearly anti-Muslim League.

"When on Wednesday (August 14) *Dawn's* story appeared, there was consternation in the relevant official circles. I learn that all traces of the 'background' were speedily removed, including the stencil from which the document had been renewed.

"There is further evidence to show that the Government of India's Information Bureau has lately been carrying on intensive pro-Congress propaganda in its many local and overseas releases, and suppressing the Muslim League viewpoint.

"It sends out bi-weekly what it calls 'Indian Press Reactions: General Summary'. Wide publicity is given in these to Hindu Press viewpoints and criticisms of the Muslim League. Muslim Press reactions are hardly ever mentioned, or mentioned perfunctorily.

"Here are quotations from two of the latest issues of this 'General Summary.'

Vol. 2, number 61 issued on the 30th July, 1946 covering newspapers received in New Delhi from July 26 to July 29—says:

Some independent and Nationalist commentators welcome the Congress selection of certain non-party men for the Constituent Assembly. Satisfaction is also expressed at the Congress care to afford representation to members of smaller minorities including in the term "General". "If this spirit of accommodation characterises the attitude adopted towards the Minorities Advisory Committee, as we have reason to hope it will, current apprehensions among many sections of the population will lose their force."—*Times of India.*

"The need for early establishment of an interim government is emphasised by several papers commenting on the press report regarding the forthcoming resumption of negotiations for this purpose. 'Agreement we must have this time, for further postponement will spell bleak, irretrievable ruin of our national economy," says the *Pioneer*. *But some papers say that Lord Wavell should abandon the old idea of coalition.* Typical is *A. B. Patrika*'s comment: "There is no agreement between the Congress and the Muslim League on the basic issues and in the present circumstances no agreement is possible. They must proceed, if at all, in full recognition of this broad fact of the Indian situation.' (*Italics mine*)

"No mention is made of any Muslim reaction to the situation."

Vol. 2, number 63, covering newspapers received in New Delhi from August 2 to August 5:

"This is a very long summary and space does not permit reproduction. But these are its features.

"It gives reactions to the "League's Decision: the Next Step".

It summarises comments of: *Bombay Chronicle* (17 lines), *A. B. Patrika* (11 lines), *Hindustan Standard* (two extracts, 24 lines), *Indian Nation* (5 lines), *Leader* (8 lines). *Tribune* (8 lines), *National Herald* (7 lines) *Hindu* (8 lines), *Sind Observer* (8 lines), *Hitavada* (10 lines), *Nationalist* (13 lines).

As against this, there are three quotations from *Star of India* (4 lines, 6 lines and 5 lines), and one quotation from *Morning News* (4 lines).

While the summary of Hindu newspapers fully reproduces the 'arguments' advanced against the League attitude and for transfer of power to Congress, the

summary of the Muslim press comments, besides being meagre, contains no reference to reasoned arguments justifying the League's case. These extracts are evidently included—at the end of the "Summary" as if by way of an appendix—because occasional mention of the Muslim press had to be made for form's sake.

"The Bureau has not, in any of its multifarious background material issued in India and overseas, ever given the reasons why Muslim League thinks it has been betrayed, why it maintains that the Congress has not really accepted the long-term plan in its entirety, and why it claims that no other course but direct action is left open to it. On the contrary, the Bureau has more than fully, repeatedly and enthusiastically played up the opposite Hindu case.

"In addition to these bi-weekly summaries, the Bureau also issues by cable daily summaries called 'the Omnibus Service'. This is of the same nature and is a regular and powerful aid to Congress propaganda abroad.

'Where political propaganda of this kind is concerned, it must be assumed that the subordinate officers are not left at liberty to adopt a particular line of policy. High authority must either direct or approve. Can it be denied that the Bureau's policy has Lord Wavell's approval?"

On August 13, Pandit Jawaharlal Nehru, President of the Congress, addressed a letter to Mr. Jinnah seeking the latter's co-operation in the formation of an interim government on the terms of the Congress, insistence on which led the Muslim League to reverse their Delhi decision.

As arranged by him, Pandit Jawaharlal Nehru saw Mr. Jinnah on the evening of August 15 and left

the League leader after remaining with him for 80 minutes.

To pressmen, the Pandit said, "Nothing has happened beyond the fact that we had a general talk. I have nothing more to say". He informed them, however, that he would answer their questions tomorrow (August 16) at a press conference.

Meanwhile Mr. Jinnah released the following correspondence that passed between him and Pandit Nehru:

LETTER FROM PANDIT NEHRU TO MR. JINNAH FROM WARDHA, DATED AUGUST 13, 1946

Dear Mr. Jinnah,—" As you know, the Viceroy has invited me in my capacity as President of the Congress, to make proposals for the immediate formation of the interim government. I have accepted the invitation. I feel that my first step should be to approach you and seek your co-operation in the formation of a coalition provisional government. It is naturally our desire to have as representative a government as possible. Should you wish to discuss this matter further with me, before coming to a decision, I shall gladly see you in Bombay or wherever you may be. I am leaving Wardha on the 14th and reaching Bombay on the 15th August forenoon. Probably I shall leave Bombay for Delhi on the morning of August 17."

REPLY FROM MR. JINNAH TO PANDIT NEHRU FROM BOMBAY, DATED AUGUST 15, 1946.

Dear Pandit Jawaharlal Nehru,—"I received your letter, dated the 13th yesterday, delivered to me by hand.

"I know nothing as to what has transpired between the Viceroy and you; nor have I any idea of what agreement has been arrived at between you two, except what you say in your letter that the Viceroy has invited you, in your capacity as the President of the Congress, to make proposals for the immediate formation of the interim government and that you have accepted the invitation.

"If this means that the Viceroy has commissioned you to form the Executive Council of the Governor-General and has already agreed to accept and act upon your advice and proceed to constitute his Executive accordingly, it is not possible for me to accept such a position on that basis.

"However, if you care to meet me on behalf of the Congress to settle the Hindu-Muslim question and resolve the serious deadlock, I shall be glad to see you today at 6 p.m.

"The substance of your letter, unfortunately, has already appeared in the press even before I received it. May I, therefore, request you to release this letter of mine also to the press?"

(*Sd.*) M. A. JINNAH.

LETTER FROM PANDIT NEHRU TO MR. JINNAH, DATED AUGUST 15, 1946

Dear Mr. Jinnah,—" Thank you for your letter of today's date which was delivered to me at about 1 p.m.

"Nothing has transpired between me and the Viceroy except what has already been published. There is no arrangement other than what is contained in his brief offer and our acceptance. That offer, made by the

Viceroy with the concurrence of the British Government, is for us to make proposals for the formation immediately of an interim government. The Executive Council of the Governor-General has not been mentioned as such. It is understood, as stated in the published correspondence between the Congress President and the Viceroy, that the interim government will have the greatest possible freedom in the exercise of the day-to-day administration of this country.

"Since this brief offer was made and we accepted it, I have had no opportunity to meet the Viceroy or discuss the matter with him more fully. I hope to do so within the next two or three days. It was our wish, however, that I might approach you first and invite your co-operation. We are naturally anxious to form a government, which will be as representative as possible in order to deal with the urgent problems facing this country.

"In your letter you state that you are unable to accept the position as it appears to you. I regret this. Perhaps, on fuller consideration of the position you would be agreeable to reconsider your decision. If so, we would welcome it. For this purpose I shall gladly see you, if you so desire.

"As regards the general Hindu-Muslim question, we are always prepared to discuss this and try to find a way out. Just at present we are immediately concerned with the formation of the provisional government and circumstances demand that early steps should be taken in regard to it. We hope that a coalition provisional government will itself help in the consideration and solution of our problems. While I am willing to discuss the larger question with you, I have no new suggestions to make. Perhaps you may be able to suggest a new approach.

"I am prepared to come to your place at 6 p.m. this evening, or if it is more convenient to you, some time tomorrow. I am leaving Bombay on the 17th morning.

"My letter to you was not sent to the press. I made a brief statement to the press, however, in view of repeated questions put to me by newspapermen and in order to prevent misconceptions, if you so desire, you can release all this correspondence to the press."

(*Sd.*) JAWAHARLAL NEHRU.

LETTER FROM MR. JINNAH TO PANDIT NEHRU, DATED AUGUST 15, 1946

Dear Pandit Jawaharlal Nehru,—"I am in receipt of your letter of August 15 delivered to me at about 3-30 p.m. and I thank you for it.

"I have already made my position clear in my letter dated the 15th of August sent to you this morning. But as you have given certain explanations, with some of which I must not be taken to agree, and as you desire to meet, I shall be glad to see you today at 6 p.m.

"I agree with you that in order to prevent misconception in the mind of the public, our correspondence should be published and accordingly I am releasing it to the press."

(*Sd.*) M.A. JINNAH.

On Friday, August 16, when Mussalmans of India were celebrating the Direct Action Day according to the instructions of Mr. Jinnah contained in his statement of August 14 Pandit Jawaharlal Nehru, puffed

up with the idea of having been asked to make proposals for the formation of an interim government, issued a threat to the Muslim League at a press conference, saying: "If the League starts some kind of direct action, obviously the Government would face that direct action, either come to terms with it or oppose it as there is no other course. If the Government is strong, direct action goes under, but if the Government is weak, the Government will go under."

He added that the Muslim League President, Mr. Jinnah, had declined to offer his party's co-operation to the Congress in the formation of an immediate provisional national interim government.

He continued: "Co-operation in the formation of the provisional government is being offered to the Congress by all elements excepting the Muslim League for the moment. In the circumstances, however, it is obvious that we cannot stand still because of this unfortunate lack of co-operation from the Muslim League. So far as we are concerned, the door of co-operation will always be open and we shall, in whatever we may do, be keeping in view this larger viewpoint. We shall always look for the largest measure of co-operation."

He made it clear that the Congress would go ahead with the formation of the Provisional Government, subject of course, to other conditions being satisfactory after his interview with the Viceroy tomorrow.

Pandit Nehru's press conference lasted 60 minutes and he dealt with only outstanding questions. He made it clear at the outset that he would not like to go into details but would frankly take the public into confidence as far as events have so far progressed.

He said: "A few days ago I received a communication from the Viceroy, when I was at Wardha which stated that in concurrence with the British Government,

he (the Viceroy) proposed to ask me as President of the Congress to make proposals for the formation of an interim government. It is fairly a simple communication and there is nothing more nor less than what I have stated. What that communication implies, it is for you to draw your conclusions.

"The Congress Working Committee decided to inform the Viceroy that I would be prepared to make proposals for the formation of the interim government. I had no other communication with the Viceroy in regard to this matter, apart from the one mentioned above.

"The position today is somewhat vague, though undoubtedly, the announcements made on behalf of the Viceroy and on our behalf, do make a considerable advance. When I saw the Viceroy last at Delhi, there was no talk, nor mention of this interim government. Some people imagine that there was some kind of secret understanding between the Congress and the Viceroy in regard to this matter, but I say there is nothing of the kind.

"The present offer to the Congress to form the interim government does make a difference. The Viceroy has made a new kind of approach. There is a psychological difference. Unlike previous occasions, we are now asked to form the entire government, no doubt with the co-operation of others but taking the responsibility for it. Now it is not a question of individuals being picked and chosen by an external authority. Maybe all this ends in our being caught in a trap, maybe that it leads us much further in the direction we want to go. We would eliminate all the obstructions in our way. But in any case we have to be very wary.

"Meanwhile, we thought it desirable that we should do our utmost to gain the co-operation of all, and

more especially the League in forming the government. There are obviously considerable differences in outlook, approach and objectives between the Congress and the Muslim League. It would have been rather futile to imagine that all those differences would suddenly vanish. Nevertheless we did hope that our differences apart, we might still be able to co-operate and possibly the process of co-operation might help in resolving those differences."

Pandit Nehru then referred to the correspondence exchanged between him and Mr. Jinnah and his meeting with Mr. Jinnah yesterday and said: "We had as usual a friendly talk. Mr. Jinnah put forward the Muslim League's case which everyone is well acquainted with. In brief, he criticised both the so-called long-term and short-term plan. Mr. Jinnah felt that the latest resolution of the Congress Working Committee did not differ from the previous stand taken by the Congress. Perhaps he was right."

He regretted that his meeting with Mr. Jinnah yesterday did not bring the Congress and the Muslim League politically nearer to one another. "For the present I can say nothing more except that I am going to Delhi tomorrow.

"I shall meet the Viceroy and we shall discuss the question of the formation of the interim government further. The fact that we have agreed to make proposals, does obviously put certain responsibilities on us. It takes us many steps further. We have taken this decision with the full sense of responsibility and not in any light-hearted manner, because obviously all manner of consequences may follow.

"I would like you to realise that there are possibly many hurdles still and not to imagine as some do, that there is no further difficulty left about the formation of

the Provisional Government. It may well be formed or there may still be some obstruction or difficulty."

Pandit Nehru made it clear in answer to a question that the Congress had accepted the Viceroy's offer to form the interim government which would not merely be the Executive Council, but a free government.

" Strictly legally speaking, there will be no change as regards the Viceroy's position but in practice, I trust he will be a kind of constitutional head." But if, unfortunately, the Viceroy exercised his veto, it would lead to trouble. In fact, it cannot be exercised. If he does, it will have major consequences."

Answering a question Pandit Nehru said that the question of certification of any Bill by the Viceroy would not arise inasmuch as there cannot be a conflict between Government and the Assembly. "I cannot conceive of such a conflict," he said, "because any provisional government must carry the Central Assembly with it. If it does not, that government must go."

He continued: "In fact the Provisional Government should function as though it was responsible to the Central Assembly, such as it is. It is obvious that the whole Provisional Government will be a different set-up, psychologically and will approach both domestic and international problems from a different point of view. While so doing, it is conceivable that it may come into conflict with British authority in England or elsewhere. At present, one cannot say anything specific in regard to this matter."

Asked if the Congress formed the interim government without the Muslim League's co-operation and the League started some kind of direct action, would it not lead to the Congress being used to put down the League, Pandit Nehru said: "If the League starts

some kind of direct action, obviously the Government will face that direct action—either come to terms with it or oppose it as there is no other course. If the Government is strong, direct action goes under, but if the Government is weak, the Government will go under."

Pandit Nehru was then asked what would be the attitude of the Provisional Government towards Indian States. He said: "The States as such do not come within the scope of the Provisional Government except in regard to many common problems between the States and the rest of India. But obviously, such a government, apart from the common problems will be intensely interested in the formation of Democratic Governments in the States and it will try to further that end."

Pandit Nehru continued: "The decision of the Congress Working Committee to form the interim government is perhaps an inevitable decision in the sense that it follows a certain chain of happenings. From the Congress point of view, it was certainly a novel step. That step could not be taken normally without previous reference to the All-India Congress Committee, and in any event that reference will have to be made and the final decision will rest with that Committee. At the same time, we felt that it would not be right for us to postpone action, in view of various developments and happenings both in this country and abroad."

"The Congress decision to agree to form the interim government involves many other consequences internally for the Congress. We have given some thought to this but we have not decided upon any definite line of action, since we are not sure whether the acceptance of the Viceroy's offer would lead to something final or not. I might tell you that even now we have not finally decided about the details of the proposals.

Since the Congress joining the Provisional Government, is something entirely new, both for the Congress and the country, we have to consider what relations our executive should bear to that government and whether any member of the executive could belong to that government. The Working Committee has come to certain conclusions in regard to these matters.

Pandit Nehru emphasising the importance of maintaining the revolutionary character of the Congress organisation, said: "The Working Committee attaches greatest importance to the internal organisation of the Congress, because it feels that whatever future may hold for us, the real sanction behind us is the Congress organisation.

"Therefore, we must do our utmost, not only to keep it going but to strengthen it, widen it, make it more disciplined and ready for action, when action may be necessary. Therefore, in considering all these governmental affairs, we have to think all the time of the effect of each such development on the Congress organisation and how we should adapt that organisation to these changing circumstances, so that it may not come into conflict and yet the most important thing of all it should retain its revolutionary outlook.

"Obviously, some kind of change at the top by itself does not mean much. It may be the precursor of other changes, big and small. It is because we look upon the Viceroy's offer from that point of view that we thought in terms of accepting the Viceroy's offer to form the interim government.

"Big changes have to come later. The formation of the Provisional Government and the convening of the Constituent Assembly are by themselves only initial steps in a certain progress. If we think that those steps lead in the right direction, then we take them.

"But if we think that they may come in our way, we must avoid them. We have now come to the conclusion that these two steps mainly the convening of the Constituent Assembly and the formation of the interim government will lead us and help us to proceed in the right direction, which will bring about fundamental changes in India.

"It is because of this, that we have decided to go into the Constituent Assembly as well as, if other things are satisfactory, to form the Provisional Government."

Pandit Nehru continued: "Naturally when one takes such a step, one wishes for the largest measure of co-operation possible. In spite of all that had happened during the last three or four weeks—many statements some of them violent and threatening violent action against the Congress—we felt it our duty to make an earnest effort to get that co-operation, not only from the Muslim League, but from others too.

That co-operation is being offered to us by almost every group or community in India except, I regret, for the moment, the Muslim League. In the circumstances, however, it is obvious that we cannot stand still because of this unfortunate lack of co-operation from the Muslim League

"So far as we are concerned that door of co-operation will always be open. We shall, whatever we may do, always be keeping in view this larger viewpoint and proceed with the largest measure of co-operation."

Dealing with the countrywide strikes Pandit Nehru said that they signified a new kind of upheaval in India's economic life. He added: "There were other matters too which go to show that we must move swiftly or we may have to face greater disasters.

"He then dealt with the various developments in the international field and the sending of Indian troops to Iran which, he said, was ostensibly for the protection of oil interests there.

"The sending of Indian troops to Iran is of serious consequence from every point of view from international and Indian National point of view. All these developments which were happening rapidly may lead to a more critical crisis and the Congress has naturally to decide how to deal with the situation.

"Considering all this, we have for the present come to the conclusion that it is desirable for us, subject to further clarification, to accept the Viceroy's offer and make proposals for the formation of the Provisional Government. We shall do that and what will happen subsequently I do not know."

Replying to questions Pandit Nehru said that there was no possibility of his going anywhere outside India in the near future in view of important developments in the country necessitating his presence here.

Asked whether he was aware that the Government of India had not recognised the Indonesian Republic in their negotiations for obtaining rice for India, Pandit Nehru said: "The present Government of India means the British Government on the international plane.

"If they are to recognise the Indonesian Republican it means the British Government will have to break with the Dutch Government. With the in coming of Provisional Government, it will be a different matter."

Mr. Jinnah, in reply to Pandit Nehru's statement made by him at the press conference held by him at Bombay on August 16, issued the following statement to the press on August 18.

Mr. Jinnah said, " Pandit Jawaharlal Nehru would have been nearer the truth if instead of saying that there was lack of co-operation from the Muslim League, he had said that the Muslim League was not prepared to surrender; and it would have been still more true if instead of saying that the Congress doors of co-operation were still open, he had said that the Congress door was open to the Muslim League for abject surrender.

" It has been made very clear once more and it has been admitted by Pandit Nehru in his recent press conference that the Congress has not accepted the long-term plan of May 16, and there is no doubt that they rejected the short-term final proposal of June 16 of the Cabinet Delegation and the Viceroy, whereupon that part of the scheme was scrapped by the Viceroy.

" In his press conference, Pandit Nehru admitted that there was no difference between the decision of the Congress Working Committee taken at Wardha on the August 10 and the resolution of the A.-I.C.C. of July 7 passed at Bombay ratifying the earlier decision of the Working Committee at Delhi on June 25 and 26.

"So the matter stands as it was after the original decision of the Congress Working Committee at Delhi, and therefore, now admittedly the Congress has not accepted the long-term plan nor the short-term proposal, whereas the Muslim League did accept both and had finally to withdraw their acceptance at the meeting of the All-India Muslim League Council on July 29.

"What remains now is the new situation created by the communique issued by the Viceroy inviting the Congress to make their proposals for the interim government. Our position from the very beginning has been that the long-term settlement and the interim government must go together and that they constitute one whole indivisible scheme and the one cannot be separated from the other and that was what the Mission did according to their statements of May 16 and June 10.

"We were not satisfied with all the proposals of the scheme and they were more against the League stand than against the Congress. Nevertheless we accepted them but the Congress rejected them. But now as I have already said I don't know as to what is going on between the Viceroy and Pandit Nehru and the Congress.

"In the course of our interview on August 15 Pandit Nehru declined to discuss the long-term settlement. He made it clear to me that they were invited by the Viceroy to make their proposals for the interim government and he thought that he would like to see me before the Congress submitted their proposals to the Viceroy.

"The proposals which he made were that the Congress would form the Cabinet and they were prepared to give 5 seats out of 14 to the Muslim League and the remaining 9 would be filled by the Congress nominees including one Muslim of their choice; that this Cabinet would be responsible only to the present Central Legislative Assembly where I may point out the Congress has got at least three votes as against one of the Muslim League; and further that the Viceroy would be the constitutional Governor-General and must not exercise his veto nor should any other external authority interfere with this Cabinet.

"It was not that he was forming the Executive Council of the Governor-General under the framework of the present constitution but the government so formed would be a Provisional National Government.

" This was the plan, he disclosed to me and it was obvious that I could not possibly accept such a proposal because after that there would remain nothing to talk about the Muslim demand and our goal of Pakistan.

"From what he has announced in his press conference I gather that his position is more or less the same. In his press conference which was very long drawn he has said many things but I do not propose to controvert all the details and shall deal only with the main points.

He is reported to have said that almost all others were willing to co-operate with the Congress except the Muslim League. Who are the others? The Sikhs have changed four times already and the fifth time it may be our good luck and they may become our friends.

"Even their last decision as Master Tara Singh explained was not unanimous and he the leader of the Akali Party was himself opposed to it but it was a compromise for the particular purpose of wrecking the Group 'B' with the help of the Congress which the latter has promised.

"The Scheduled Castes, who, I am sorry to say, have been let down by the Viceroy are purposely opposed to the Congress and the Christian organisation is certainly not with the Congress nor the Anglo-Indians or the Parsees.

"It is only the Caste Hindu Fascist Congress and their few individual henchmen of other communities, who want to be installed in power and authority of the Government of India to dominate and rule over the Mussalmans and other minority communities of India with the aid of British bayonets.

"When he was asked if the Muslim League resorted to direct action when power is handed over to the Congress what would be the attitude of the Congress, Pandit Nehru replied making it clear that they would crush the Muslim League or if they fail the Government would go down.

"When he says that the League will be crushed if we resort to direct action, he talks with confidence or he relies upon the shelter and support of the baton of Field-Marshal Wavell.

"It cannot be said with any qualms of conscience," says Mr. Jinnah "that the minority has placed a veto on the advance of the majority community. For we had accepted the considered final proposals of the Mission and the Viceroy both with regard to long-term and the interim government—although they were not quite satisfactory to us—and it is the Congress that has rejected them both by their veto and intransigent attitude.

"Now the question is whether this majority is going to be installed in power on its own terms by the British Government to rule the Mussalmans and the minorities with the help of British blood and treasure?

"It is inconceiveable that Mr. Attlee the Prime Minister could have ever meant this—the forcing of any such arrangement upon the Muslims and others which must and would result in unprecedented and most dangerous and disastrous consequences.

"In his press conference, Pandit Nehru has no failed to give his repeated threat even while he seeking our 'co-operation' he says:

'They (Congress) must do their utmost not only to keep the Congress organisation going but must strengthen it, widen it and make it more disciplined and ready for action when action might be necessary.

'They would have to consider how the organisation should adapt itself to the changing circumstances so that it might not come in conflict and yet at the same time retain its revolutionary outlook.'

"He has again repeated that they were going to the Constituent Assembly to achieve their objective and that it was only a step in that direction and if anything came in their way they will abandon it. He considers that the swift limb of the Congress should not be shackled to the halt and the lame by which latter expression, I persume he means the Muslim League.

"Why then does the swift limb want to make alliance with the British imperialism and depend upon British bayonets? It is to enable them to crush the Muslim League? Why cannot they stand on their own?

"Having laid down the policy of his future Government of India as regards the Muslim League, Pandit Nehru indulges further in declarations of his policy and formulates principles as to how they will proceed with regard to the Indian States and how they will be treated and the policy of his Government of India with regard to other countries and the general international and foreign relations without any reference to the Muslim League.

"This is the tenor, tone and temper of the pronouncement of Pandit Nehru displayed in the course of his press conference immediately after his interview with me when he came to seek my co-operation.

"He says our talk did not bring the Congress and the Muslim League any nearer one another. How can it ?"

Maulana Shabbeer Ahmad Usmani, President of the All-India Jamiat-ul-Ulema-i-Islam, referring to Pandit Nehru's challenge to the Mussalmans, said at a public meeting held at Muzzaffarnagar, "Pandit Nehru has challenged the Mussalmans with suppression of their 'Direct Action', while in power. These threats and intimidations, the Pandit should know, cannot cow down the Muslims or their leaders."

The Maulana continued, "The life and property of a Muslim is not his own. So he is completely indifferent to the consequences of the struggle, and hence he cannot be defeated. Reverses stimulate him to struggle with added energy, and so no power on earth can crush Muslims. Living he is a *Ghazi* and killed in action, he is a martyr."

Dilating on this theme and quoting from the Holy Quran, in support of his propositions, Maulana, Sahib urged the Mussalmans to be ready for action. "Paucity of resources," he added, "cannot slow their advancement nor can smallness of numbers whittle down their urge for struggle, because only two qualities are required in them; firstly, patience against sufferings and privations, and secondly, piety.

"But that does not mean" he said, "that they should shut their eyes to the crying need of the time and to the accumulations of whatever resources they

could lay their hands upon. They were enjoined by the Quran to be ready and prepration is a very wide term."

Explaining at length, the circumstances under which the Muslim League accepted the White Paper of May 16, Maulana Sahib remarked that simplicity and candidness of a Muslim's nature, his honesty and faith in the pledged words of others, went a long way in securing the acceptance from the All-India Muslim League Council.

"But now that faith reposed in the pledges of the British Government has been shattered by the Crown representatives going back upon his pledged words and now we have only to stand upon our own feet to secure for our nation an honourable life, in the country," he concluded.

But Pandit Nehru, in a press statement, denied having said anything about crushing the Muslim League or anyone else.

The following is the full text of his statement:

In the course of a statement to the press Mr. Jinnah has referred to my interview with him and to my subsequent press conference in Bombay. I am reluctant to enter into any controversy, and I would rather have not said anything further on this subject. But some misapprehension has arisen because of certain remarks made by Mr. Jinnah and I feel that I should say something to clear it.

"Mr. Jinnah is perfectly entitled to draw his inference from what I may have said though I think some of his inferences are not justified. It is possible also that subsequent recollection of the long-term Congress position has been fully clarified in the Working Committee's recent resolution, and I cannot add to

it or vary it in any way. The brief correspondence that Mr. Jinnah and I exchanged with each other in Bombay, soon after the Working Committee resolution, is also there explaining both our respective positions. I would suggest to any one interested to refer to the language of these documents for clarification, if that is needed.

"Mr. Jinnah says that I declined to discuss with him the long-term settlement. This has surprised me and I can only say that Mr. Jinnah's memory is at fault.

"I could not and would not decline to discuss anything with him. As a matter of fact I remember to have discussed the long-term settlement and the Constituent Assembly with him during our talk. This inevitably followed with reference to the Working Committee's resolution.

"As for the interim government being responsible to the Central Legislative Assembly, I stated that in effect it could not go against the wishes of that Assembly. I was asked a question in the press conference about certification. I replied that I could not imagine that such a contingency could arise, because the government would have to function in harmony with the Central Assembly.

"I said nothing about the Muslim League or any one else. Our policy has not been and will not be to threaten or crush any one, but rather win him over if we can. I was asked what would happen if there was 'Direct Action' against the Government. I replied that wherever there is such 'Direct Action', there can be only two results: Either the success or partial success of that action which means the Government being swept away or coming to terms with it, or the 'Direct Action' fails.

"Mr. Jinnah refers to the use of British bayonets. May I repeat again what we have said frequently that

we want the British armed forces to be removed from India as soon as possible. The sooner they go the happier we shall be, because we do not wish to think in terms of bayonets, and certainly not in terms of British bayonets. I am sure that when British armed might is removed from India, it will be easier for all of us to face the realities in India and arrive at mutual advantageous agreements. Whatever conflict or discord there might unfortunately be today, it is certain that it will end some time or other and all the Indian people will march together to our destined goal of a free independent and prosperous India."

CHAPTER XV

"DIRECT ACTION DAY" CELEBRATIONS

Two days before the "Direct Action Day," Mr. M.A. Jinnah issued the following statement to the press:

"The Muslim League has fixed the 16th of August for the purpose of explaining to the Muslim public all over India the resolutions that were passed by the Council of the All-India Muslim League on the 29th July at Bombay. The object and purpose of this is to make the Muslims understand fully the situation that is facing Muslim India and that they should prepare themselves for any eventuality that we may have to face.

"It will be noted that there has been a revolutionary change in our policy and that we have declared that we shall resort to direct action, as and when necessary, and prepare ourselves for the achievement of our goal of Pakistan.

"But the 16th of August is not for the purpose of resorting to direct action in any form or shape; therefore, I enjoin upon the Muslims to carry out the instructions and abide by them strictly and conduct themselves peacefully and in a disciplined manner and not to lay into the hands of the enemies."

Allama Shabbir Ahmad Usmani, President of the All-India Jamiat-ul-Ulema-i-Islam issued the following statement to the press for the general guidance of the Mussalmans of India on the occasion of the "Direct Action Day."

"The Viceroy and the Cabinet Mission's most shabbily going back on their words and the vanity and arrogance of the Congress have forced the 100,000,000 followers of Islam to disregard all sorts of trouble and come out courageously in the field of action, in order that the world may know that the Muslim nation can still give the highest sacrifices for the attainment of its great aim, and by its activities may teach a lesson to the aggressive opposition, and to the men who dishonoured their own pledges.

"To express this great determination collectively, the President of the All-India Muslim League has fixed August 16, to be observed as 'Direct Action Day.'

"I appeal to all my Muslim brothers to observe the day peacefully and in honourable manner, according to the declared programme of the Qaid-e-Azam Mohammad Ali Jinnah.

"I hope that the Provincial and District Branches of the All-India Jamiat-ul-Ulema-i-Islam shall understand their duty and give their fullest co-operation to the Muslim League on the August 16, 1946."

Further it was amply made clear by the Provincial League leaders through the medium of press and by circulars to the District, City and Primary Leagues and by means of posters that on the 'Direct Action Day,' Mussalmans were required to demonstrate peacefully their preparedness for direct action and were not to resort to any direct action actually. To join in the League programme of *hartal*, the League Governments of Bengal and Sind declared August 16 a public holiday.

Excepting Calcutta where a communal riot took place on August 16 the fury of which remained for three days and the like of which never occurred in the political history of India according to the *Statesman*, no report

of any untoward incident was received from any part of India on this day.

If rioting in Calcutta was unprecedented, in butchery and man-slaughter, looting and arson, equally unprecedented was the peaceful observance of the day in other parts of the country. To an impartial mind, this points to one thing, and only one thing—Muslims must not have started the offensive at Calcutta.

Mr. Suhrawardy, the Premier of Bengal, in a press interview, charged that the Hindus began the battles at the instigation of the British Government, which, finally, he held responsible for setting 'one Indian community against another'. He said: "This trouble obviously was started by the Hindu Congress, which wanted to fight, wanted to create a situation, wanted disturbances and wanted to use them as a platform for discrediting the Bengal Ministry".

He accused the British Government of 'playing with the Muslims and the Hindus in a deliberate manner' during the negotiations for Indian independence. The British had aroused such temper and hatred between the Muslims and the Hindus that they must stay in India for a new approach. "And there is no intention on the part of the British for quitting India now," he added.

But the 'national' leaders and the 'nationalist' press joined by the 'impartial' *Statesman* (*Statesman's* office was attacked by a mob) condemned the Muslim League and held responsible the League Ministry of Bengal for everything that had happened in Calcutta, and demanded its dismissal.

Maulana Azad, former President of the All-India 'National' Congress, said, in a press interview, that the responsibility for all that had happened must be borne by the Ministry of Bengal.

The '*Statesman*', in its several editorials, attacked the Muslim League and condemned unsparingly the Bengal Government for lamentable failure in jugdment and executive ability.

The Muslim League President, Mr. Jinnah, on the other hand condemned the acts of violence but did not pass any judgment, as others did, in the absence of full facts of the case.

Mr. Jinnah, in an interview said, I unreservedly condemn the acts of violence and deeply sympathise with those who have suffered. At present I do not know who is responsible for the resultant loss of life and property, which has been reported in the press.

"I have no official reports from any quarters—either the Provincial Muslim League Executive or the Government of Bengal.

"Those who are guilty of resorting to indefensible conduct and hooliganism must be dealt with according to law, as their actions were (so far as the Muslim League is concerned) contrary to expressed instructions and they have only played into the hands of the enemies of the Muslim League.

"It may be the action of *agents provocateur*. I do not believe that any Muslim Leaguer would have taken part in using any violence, but if any have broken the strict and solemn instructions to conduct themselves peacefully, I have no doubt in my mind that the Provincial Muslim League will not fail to take immediate action against them.

"I await the authoritative reports before I can say anything further."

Mr. Jinnah said that the newspapers had contained reports of unarmed Muslim Leaguers going to the affected areas and helping to restore order.

And *Dawn's* special representative in Calcutta gave a first-hand account.

He said, " This is being written on the sixth day of Calcutta's week of long knives. For three days now I have incessantly toured the city streets, lanes and other trouble spots in police cars, Red Cross cars and private vehicles. I have watched the police Control Room, the Rescue Headquarters and non-official relief organisations at work.

" I have visited the hospitals and the numerous refugee centres—I have talked with high-ranking official and non-official leaders, as well as relief and rescue workers.

" And I say that the outside world has been completely misled by the most diabolically planned one-sided propaganda. In this the British-edited *Statesman*—now openly ranged among the enemies of the Mussalmans—has joined with the gusto of a proselytised convert.

" That unprecedented slaughter and destruction have taken place in Calcutta is true. That the Muslim decision to hold ' Direct Action Day ' was the immediate cause of it is true. That the events of the week constitute not mere rioting but ' war ' is also true.

" But it is not true that Muslims started it. It is not true that Muslims had in any manner prepared for it. It is not true that Muslims were even prepared for self-defence—because they did not apprehend that on the other side preparations had been made.

"And in the toll that this war of long knives has taken, the Muslims have contributed by far the major share. Official estimates put down the proportion to something like 4 to 1.

"The fuller story will have to be reserved for the near future, but until the public have full facts judgment must be suspended. It is necessary to emphasise immediately the following points:

1. "Muslims wanted to observe the Day in peace. They had orders from their leaders to do so. They went to the meeting with their children, some of them in arms. This was a clear proof that they meant no mischief.

2. "Attacks began on them in different parts of Calcutta, almost simultaneously—from early in the day. By 11 a.m. many injured had been brought to hospitals and almost all of them were Muslims.

3. "Muslims were taken unawares and only retaliated later—and that too with all the handicaps of an unprepared people who suddenly found themselves in mortal trouble, not of their own seeking.

4. "Numerous pockets of Muslim population in certain areas have been completely wiped out. The reverse is by no means true.

5. "The Ministry had not foreseen that those who had been shouting in simulated fear of Muslim aggression on 'Direct Action Day' would themselves launch 'Direct Action' against Muslims—and that in such a planned and organised manner.

6. "But for Premier Suhrawardy's insistence—on the occasion, I learn, backed by threats to resign—the military would not have been called out when they were nor the curfew imposed when it was.

"The city is quieter now, but fear still grips the individual citizen. No one knows when the stray stabbings will stop—or whether there may be another flare-up.

"Howrah has had its share of arson, loot and butchery. On Monday night, I went with the Premier to Howrah's worst trouble spot, only a little while after a Muslim *bustee* in the heart of Hindu-dominated Bostom Para had been burned down and nine people had been murdered. The typical story behind tragedies of this kind was told us by the neighbouring Muslim 'mohalla's' leaders, and confirmed by the police officers at the 'thana'

"In the Muslim 'mohalla' referred to 6 to 7 hundred Hindus living in the midst of several thousands of Muslims have been given protection by the latter. This too was corroborated by local officials. Here is another typical picture of truth which people fed on ordinary press reports would hardly credit.

"The police and the military know the facts. So must Governor Burrows. Neither the Muslims of Calcutta nor the Ministry were responsible."

"Abul Kalam Azad's statement has surprised people here. He never stirred out of his house. He had his version from Hindus and whatever he may have told the Viceroy, was merely "his master's voice"—as even an Anglo-Indian neighbour of mine put it.

Among the killed is Maulana Abdul Jaffar Wahidi, Secretary, Calcutta, District Muslim League. Among the seriously stabbed is Dr. Qudrat-i-Khoda, Principal, Presidency College.

Dawn, in the course of an editorial, replied to the charges of the Nationalist press and concluded thus:

"It is not this kind of disorder and bloodshed which the Muslim League had or has in mind. Nor was the 16th of August intended for the actual commencement of direct action of any kind. Taken unawares by their opponents who clearly acted according to a premeditated plan and with every evidence of prior preparation, the Muslims of Calcutta waged but a war of self-defence. Defence against violence must necessarily be itself violent in character. Nobody denies that they too caused damage to life and to property. But it is Satanic to foist the responsibility of it all on their shoulders. India, however, is a land where Satans abound and gain strange converts.

"The *Statesman* continues to delight in appearing before the public everyday with its hoofs growing uglier and its horns crookeder. Muslims have ceased to feel surprised at the progressive debasement of the British in India. When the honour of England lies trampled in the Indian dust under the feet of Nehru and Patel, it would have been a marvel if the only remaining British newspaper in the country had kept the flag of honesty flying. The whole thing is too contemptible for words and with utter contempt will Muslims dismiss the *Statesman's* latest mania for falsehood and slender."

Writing on August 19, just one day after Mr. Jinnah commented on the Calcutta riots, Mr. Gandhi, in his *Harijan* of August 25, under the caption 'What Violence Can Do', said:

"If newspaper reports are to be believed, responsible ministers in Sind and other equally responsible Leaguers almost all over, are preaching violence in naked language. Nakedness is itself a virtue as distinguished from hypocrisy. But when it is a hymn of obscenity, it is a vice to be shunned, whether it resides in a Leaguer or any other person. Any Muslim who is

not in the League is a traitor, says one. The Hindu is a *kafir* deserving the fate of such, says another.

"Calcutta has given an ocular demonstration of what direct action is and how it is to be done.

"Who is the gainer? Certainly not the Muslim masses nor the sober follower of Islam which itself means sobriety and peace. The very salute *Assalamo-alaikum* means 'peace be unto you'.

"Violence may have its place in life but not that which we have witnessed in Calcutta, assuming of course, that newspaper accounts are to be trusted. Pakistan of whatever hue does not lie through senseless violence. When I write of senseless violence, I naturally assume the possibility of sensible violence, whatever the latter may be. The Calcutta demonstration was not an illustration of sensible violence.

"What senseless violence does is to prolong the lease of the life of British or foreign rule. I believe that the authors of the State Paper issued by the Cabinet Mission desire peaceful transfer of power to representative Indian hands. But if *we* need the use of the British gun and bayonet, the British will not go or, if they do, some other foreign power will take their place. We will make a serious mistake, if, every time the British bayonet is used, we trot out the *agent provocateur*. No doubt he has been at work. Let us not ride that horse to death.

"Calcutta has earned a bad repute of late. It has seen too many wild demonstrations during the past few months. If the evil reputation is sustained for some time longer, it will cease to be the City of Palaces, it will become the city of the dead.

"Would that the violence of Calcutta were sterilised and did not become a signal for its spread all over.

It depends upon the leaders of the Muslim League of course, but the rest will not be free from responsibility. They can retaliate or refrain. Refraining is easy and simple, if there is the will. Retaliation is complicated. Will it be tooth against tooth or many against one ?

On August 28, Mr. Liaquat Ali Khan, General Secretary of the All-India Muslim League, issued the following statement to the press on Calcutta riots:

"The Hindu elements whose actions plunged Calcutta into the orgies of violence and slaughter evidently did so for two reasons: First, they wanted to discredit the Muslim League Ministry by creating disorder on such a large scale that the forces of law and order at the Ministry's disposal would be unable to cope with them adequately.

"Secondly, the official announcement of the decision to set up an interim government of Hindus at the Centre made them feel that Akhand Hindustan had been virtually established, they had become all-powerful, and they could do to the Muslims whatever they liked.

"The malicious propaganda which has since been launched against the Bengal Ministry corroborates this view and is clearly part of a premeditated plan.

"I have not so far made any comment on the recent happenings in Calcutta as the full facts were not known to me: I was also unable to visit Calcutta personally because I have been confined to bed for the past three weeks under doctor's orders.

"I, however, deputed a responsible and reliable person to Calcutta who has made a thorough and honest investigation on the spot for several days, and has now submitted his report. I have also had the opportunity of meeting a number of prominent persons who were in Calcutta during the occurrences and who have given me their own accounts of the situation.

" What I have been able to ascertain from these sources leaves no doubt in my mind that the Muslims of Calcutta had every intention of observing ' Direct Action Day ' in perfect peace and order, and that the instructions of the Qaid-e-Azam and their local leaders to maintain discipline had had their effect on them.

" They had made no preparation of any kind for any trouble ; not to speak of their readiness for an offensive they were not even prepared for self-defence. On the contrary, the Hindu Congress and its followers had apparently made preparations for violence on a mass scale and in an organised manner.

" This is proved by the fact that from early on the morning of August 16, attacks began on Muslims in widely scattered parts of the city and brickbats and other missiles were thrown on Muslim processionists proceeding peacefully towards the Maidan where their meeting was to be held.

" I am informed that hospital records bear out that the overwhelming majority of the injured and the wounded admitted until late on the night of August 16, were Muslims. This fact in itself speaks volumes as to who were the aggressors in Calcutta.

The dreadful slaughter and carnage which have taken place must deeply grieve everybody, and it is not the intention of the Muslim League to resort to such methods. Indeed, if Muslims had wanted to do so, they would not have chosen for the purpose the city of Calcutta where they are many times outnumbered by the Hindus. They would have chosen other places where they are in an overwhelming majority and also better organised.

" I find that relying on press reports, Mr. Gandhi has expressed the opinion that ' it depends upon the

leaders of the Muslim League of course whether the violence of Calcutta can be 'sterilised' and not allowed to spread all over.'

" Mr. Gandhi is supposed to verify his facts before he comments on them, but this is not the first occasion when he has disregarded this salutary rule, accepted one-sided versions from only non-Muslim biased sources, and saddled the Muslims with the major responsbility for violence when they were in reality the major victims of it.

" For the best part of his political career Mr. Gandhi has been preaching non-violence to the Hindus, but such is the quality of his preaching that it has steadily produced the very opposite results. Can Mr. Gandhi be unaware that they seek opportunities to give exhibitions of it whenever possible ?

" Reports received from every town and city where disturbances have taken place during the last few days, for instance, show that everywhere Hindu elements struck the first blow or threw the first brickbat on unprepared and unsuspecting Muslims.

" If Mr. Gandhi would care to investigate from official sources what has been, for instance, happening in Delhi itself, without relying merely on one-sided Hindu versions, he will realise the truth of what I have stated.

" I would earnestly appeal to Mr. Gandhi to realise even at this late hour where the policy of the Congress under his religio-political leadership is taking this great subcontinent of ours. The bitterness which sweeps India as never before and the inevitable bloodshed which has been and will continue to be caused due to the communal arrogance and the spirit of violence fostered by the Congress, will not succeed in establishing a second Hindu period in India's history.

" A hundred million Mussalmans will resist it, and a hundred million is too large a number to be wiped out by daggers, bayonets or bullets. The only party which stands to gain by Congress policy is the British. Were Mr. Gandhi and the Hindu Congress even now to realise that such advantage as they have gained or may gain with British help can only be short-lived and can bring India really no nearer to the common Hindu-Muslim goal of independence, the lives of countless Hindus and Muslims might yet be spared and the foundation of freedom well and truely laid."

Under the headline 'The Great Calcutta Killing' Sir Arthur Moor, a former editor of the *Statesman*, in a letter to the *Statesman*, dated Delhi, August 22 which appeared on August 28, said :

" Sir,—For any given man-made catastrophe all participating parties bear some responsibility. In party politics the procedure considered correct and honourable is for each component to blame the others and entirely exonerate himself.

" I suggest that war, whether so-called civil or between nations, has become too catastrophic to permit us to go on using a code which promotes strife by making it obligatory on decent people to say " My party, or my country, right, and never wrong." The better plan in any situation is for us to concentrate on our own mistakes and try to undo them ; leaving the others to do the same.

" One can select a chain of cause and effect of any length and put what mathematicians call the limit where one chooses. One might start from our failure at the beginning of the war to treat India on an equal footing as an ally ; but for the Calcutta riots let us take the Cabinet Mission's negotiations as a starting point.

"You, Sir, showed the true path when you pointed out that we, as represented by the Cabinet Mission, had grievously let down the Muslim League. Whoever invented the later interpretation of the statement of June 16 is entitled to lasting honour wherever hairs are split; but it bore only one simple and straightforward meaning. The Muslim League alone had accepted the long-term and the short-term plan, and for the sake of peace had agreed to try out a federal form of government and forgo the idea of a sovereign independent Pakistan. No glimmer of thanks or gratitude reached them. From the Hindu press rose a roar of triumph that the League was beaten and day after day a steady stream of insult and cartoon poured forth; but that is not our concern. Our concern is that by going back on the statement of June 16 we let down those who trusted us; and that owing to the inherent corruption of the party system of Parliamentary government (which is the greatest obstacle to true democracy) the British press had to represent the Cabinet Mission as a success and to conceal the wrong done to the Muslims.

"We have produced a situation in which civil war is an obvious possibility. Civil wars are more realistic than international wars because the bulk of the people on both sides generally understand what they are fighting for. On the possible edge of a civil war it is futile to suppose that issues can be disposed of by section this and regulation that. I see no point in blaming anybody except ourselves.

"I have a deep sense of terrible disasters impending; and while I think that Britain should admit error and give the League the opportunity of attempting the role of peacemaker, for which it is temperamentally better fitted than an organisation which has practised direct action for a quarter of a century, I would also ask those who conduct Indian-owned newspapers, who were

my colleagues and remain my friends, to write more moderately, and—above all—to avoid the grievous and costly self-delusion of imputing to the Muslim League only 'bluff and bluster.'

"Lastly, may I remind Mahatma Gandhi, who never lacks the courage to admit mistakes and call off the dogs of war, of a piece of wisdom from the Sermon on the Mount:

"'Agree with thine adversary quickly whilst thou art in the way with him.'"

CHAPTER XVI

CONGRESS FORMS INTERIM GOVERNMENT

The political wrestling which commenced with the arrival of the Cabinet Mission in India between the Congress and the League ended seemingly, on August 14, in the victory of the Congress, with the partiality of the Government enjoying the powers of an umpire.

After Pandit Nehru submitted his proposals for the formation of an interim government, the following Communique was issued from the Viceroy's House on Saturday, August 24:

"His Majesty the King has accepted the resignation of the present members of the Governor-General's Executive Council. His Majesty has been pleased to appoint the following:

Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Dr. Rajendra Prasad, Mr. M. Asaf Ali, Mr. C. Rajagopalachari, Mr. Sarat Chandra Bose, Dr. John Mathai, Sardar Baldev Singh, Sir Shafaat Ahmad Khan, Mr. Jagjivan Ram, Syed Ali Zaheer and Mr. Cooverji Hormusji Bhabba.

Two more Muslim members will be appointed later. The interim government will take office on September 2."

The following is the full text of the Viceroy's statement broadcast the same evening:

"You will have heard the announcement of the name of the members of the new interim government which will come into office very shortly. You will, I

am sure, all realise that a very momentous step forward has been taken on India's road to freedom. Some of you who listen to me may feel, however, that the step should not have been taken in this way or at this time. It is to these that I want principally to address myself tonight.

"You who are opposed to the formation of the new government are not, I assume, opposed to the main policy of His Majesty's Government, namely, to fulfil their pledges by making India free to follow her own destiny. You will also, I think, all agree that we need at once a government of Indians as representative as possible of political opinion in the country. This is what I set out to secure; but though 5 seats out of 14 were offered to the Muslim League, though assurances were given that the scheme of constitution making would be worked in accordance with the procedure laid down, and though the new interim government is to operate under the existing constitution, it has not been possible at present to secure a coalition.

" No one could be sorrier about the failure than I am. No one could be more sure that it is a coalition government in which both the main parties are represented that is needed at this moment in the interests of all parties and communities in India. This is a view which I know that the President of the Congress, Pandit Jawaharlal Nehru, and his colleagues hold as strongly as I do. His efforts like mine will still be directed to persuading the League to join the government.

"Let me state clearly the offer which has been made and is still open to the Muslim League. They can propose to me five names for places in a Government of 14 of which 6 will be nominees of Congress and three will be representatives of the minorities. Provided these names are acceptable to me and approved by His

Majesty, they will be included in the Government which will at once be reformed. The Muslim League need have no fear of being out-voted on any essential issue; a coalition government can only exist and function on the condition that both main parties to it are satisfied. I will see that the most important portfolios are equitably shared. I sincerely trust that the League will reconsider their policy and decide to participate in the Government.

"Meanwhile, however, the administration of India has to go on, and there are large issues which must be decided. I am glad that the representatives of a very large body of political opinion in the country will be my colleagues in carrying on the Government. I welcome them to my Council. I am also glad that the Sikhs have now decided to participate in the Constituent Assembly and in the interim government. I have no doubt that their decision is a wise one.

"As I have already made clear, I shall implement fully His Majesty's Government's policy of giving the new government the maximum freedom in the day-to-day administration of the country. In the field of provincial autonomy, of course, the Provincial Governments have a very wide sphere of authority in which the Central government cannot intervene. My new government will not have any power or indeed any desire to trespass on the field of provincial administration.

"The recent terrible occurrences in Calcutta have been a sobering reminder that a much greater measure of toleration is essential if India is to survive the transition to freedom. I appeal most earnestly not only to sober citizens but to the young and to the discontented to recognise that no conceivable good either to themselves or to their community or to India can come either from violent words or from violent deeds. It

is essential that in all provinces law and order is maintained, that the protection of the ordinary peaceful citizen is assured with a firm but impartial hand, and that no community is oppressed.

"The Army had to be called in at Calcutta to restore order and rightly so. But I must remind you that to suppress civil disturbances is not the normal duty of the Army but that of the Provincial Governments. The use of the Army is a last resource only. A general recognition of this basic principle is essential both from the point of view of the civil population and of the Army itself. I have heard much praise of the discipline and efficiency of the troops employed in Calcutta; and will add here my own tribute of admiration to my own service, for their behaviour in a duty which is the most exacting and unpleasant on which troops can be employed.

"The War Member in the new government will be an Indian, and this is a change which both the Commander-in-Chief and I warmly welcome. But the constitutional position of the Armed Forces is in no way changed. They still owe allegiance, in accordance with their oath, to the King Emperor, to whom and to Parliament I am still responsible.

"In spite of all immediate appearances I believe there is yet a chance of agreement between the two principal parties. I am quite sure that there is a very large body of opinion in both parties and of non-party men who would welcome such an agreement, and I hope they will all work for it. I would appeal also to the press to use its very great influence on the side of moderation and compromise.

"Remember, the interim government can be reformed tomorrow if the League decide to come in. Meanwhile it will administer in the interests of the country as a whole and not of any one party or creed.

"It is desirable also that the work of the Constituent Assembly should begin as early as possible.

"I can assure the Muslim League that the procedure laid down in the statement of May 16, regarding the framing of provincial and group constitutions will be faithfully adhered to; that there can be no question of any change in the fundamental principles proposed for the Constituent Assembly in paragraph 15 of the Cabinet Mission's statement of 16th May or of a decision on a main communal issue, without a majority of both major communities; and that the Congress are ready to agree that any dispute of interpretation may be referred to the Federal Court. I sincerely trust that the Muslim League will reconsider their decision not to take part in a plan which promises to give them so wide a field in which to protect the interests and to decide the future of the Muslims of India.

"We have come to another critical and solemn issue in the affairs of India. Never were tolerance and soberness in thought and action more necessary; never were the wild speaking and rash deeds of a few fraught with greater danger for so many millions. Now is the time for all Indians in any authority, with any influence, to show by their good sense and restraint that they are worthy of their country, and that their country is worthy of the freedom it is to receive."

Following the above announcement and the Viceroy's broadcast, Mr. Jinnah released the correspondence that passed between him and the Viceroy (July 22—August 8). In a statement releasing the correspondence, Mr. Jinnah said,

"It is to be regretted that the Viceroy, in his broadcast last night, should have made such a misleading statement and contrary to facts that, 'though five seats out of 14 were offered to the Muslim League, though

assurances were given that the scheme of constitution making would be worked in accordance with the procedure laid down, and though the new interim government is to operate under the existing constitution, it has not been possible to secure a coalition.

"The truth is that the Viceroy wrote to me on July 22 making certain proposals which were vitally and substantially different from the interim government proposals embodied in the statement of 16th June and the assurances given to the Muslim League, enclosing a copy of a similar letter addressed by him to Pandit Jawaharlal Nehru. This was on the eve of the meeting of the Council of the All-India Muslim League and the Viceroy knew full well that a grave situation had been created and that there were serious apprehensions and misgivings about the policy of His Majesty's Government and his attitude in the matter.

"Nevertheless, there is not a single word in his letter of 22nd July with regard to our position *vis-a-vis* the Constituent Assembly in the light of the decision of the Congress, the pronouncements of the Congress leaders and the directive given by the Assam Assembly to Assam's representatives on the Constituent Assembly to have nothing to do with the "C" Group.

"I replied to the Viceroy on the 31st of July, clearly stating our position with regard to his new move which was obviously intended to meet the Congress wishes, for else what justification was there for him to depart even from the final proposals embodied in the statement of June 16? Will the Viceroy explain why should there be any departure from those proposals and the assurances that were given to us and for whose advantage is this new move being made by him?

"I received a reply from him dated the 8th of August acknowledging my letter of 31st July; it is

amazing that he should have stated therein that his suggestion in his letter of 22nd July was the 'same as the one Muslim League Working Committee accepted at the end of June namely, 6 : 5 :' This is entirely incorrect as has been already pointed out by me in my letter of 21st July." He further says :

"In view of the League resolution of the 29th July, I have now decided to invite the Congress to make proposals for an interim government, and I am sure that if they make a reasonable offer to you of a coalition I can rely on you for a ready response.

"I had, and have, no knowledge or information as to what actually transpired between the Congress and the Viceroy but, Pandit Jawaharlal Nehru, I suppose as arranged, came to see me on the 15th of August. It was merely a formality and he made his offer : That the Congress were willing to give out of 14, five seats to the Muslim League and the remaining 9 were to be nominated by them, including one Muslim of their choice; that he was not forming the Executive Council under the present constitution but a 'Provisional National Government' responsible to the present Legislative Assembly ; and he made it clear in his letter of 15th August in reply to mine of the same date that while he was willing to discuss the larger question with me, he had no new suggestion to make and added, 'perhaps you may be able to make a new approach and when I did make a suggestion, he turned it down saying that the Congress stand was the same as laid down in their resolution of Delhi passed on June 26 and that the Wardha resolution of August 10, had only re-affirmed that stand, and this was repeated by him at the press conference on 16th August before his departure for Delhi to meet the Viceroy.'

"I informed Pandit Nehru that in these circumstances there was no chance of the Working Committee

or the Council of the All-India Muslim League accepting his proposals.

" Thereafter the Viceroy, Pandit Nehru and the Congress leaders have now for nearly a week carried on their discussions and negotiations behind my back and without any knowledge or information being furnished to me, except the communique that was issued last night announcing the formation of the interim government and Viceroy's broadcast.

" As the Viceroy has already disclosed the alleged offer without stating what reply he had received from me, I am herewith releasing the correspondence :

LETTER FROM LORD WAVELL TO MR. JINNAH, DATED 22ND JULY, 1946.

(*Personal and Confidential.*)

Dear Mr. Jinnah,—I declare my intention of replacing the present caretaker government of officials by an interim coalition government as soon as possible ; and am now putting to you as President of the Muslim League and to the President of the Congress the proposals set out below.

2. I think you will probably agree with me that our negotiations both this summer and last year were hampered by the attendant publicity. I am, therefore, seeking your co-operation in conducting at any rate the preliminary stages of the negotiations on a strictly personal and secret basis between myself and the two Presidents. I very much hope that you will prevent this correspondence being known to or discussed in the press until we have seen whether we can find some basis of agreement. I realise, of course, that you will have at some stage to secure the approval of your Working Committee ; but I believe it will be best to try and reach some basis of agreement between ourselves as a first step. I propose the following for your consideration :

(*a*) The interim government will consist of 14 members.

(*b*) Six members (to include one Scheduled Caste representative) will be nominated by the Congress: Five members will be nominated by the Muslim League. Three representatives of minorities will be nominated by the Viceroy. One of these place will be kept for a Sikh. It will not be open to either Congress or the Muslim League to object to the names submitted by the other party, provided they are accepted by the Viceroy.

(*c*) Distribution of portfolios will be decided after the parties have agreed to enter the government and have submitted their names. The Congress and the Muslim League will each have an equitable share of the most important portfolios.

(*d*) The assurance about the status of the interim government which I gave in my letter dated 30th May, to Maulana Azad will stand.

3. I would welcome a convention, if freely offered by the Congress, that major communal issues can only be decided by the assent of both the major parties. But I have never thought that it was essential to make this a formal condition since in fact a coalition government could work on no other basis.

4. I sincerely trust that your party will agree to co-operate in the administration of India on the above basis, while the work of constitution making proceeds. I am confident that this will be of the greatest possible benefit to India. I suggest that we should not spend further time in negotiation; but should try out at once a government on the basis proposed above. If it does

not work, and you find the conditions unsatisfactory, it will be open to you to withdraw, but I am confident that you will not.

5. Would you be good enough to let me know very soon whether the Muslim League will enter in the interim government on this basis? I have written in similar terms to Pandit Nehru and enclose a copy of my letter to him.

Yours sincerely,
(*Sd.*) WAVELL.

P.S.—I am seeing Pandit Nehru this afternoon on other matters and will hand him his letter then.

MR. JINNAH'S REPLY TO THE ABOVE DATED 31ST JULY, 1946.

Dear Lord Wavell,—I am in receipt of your letter of 22nd July and I notice that this is the fourth basis that you are suggesting for the formation of your interim government. From 5 : 5 : 2 you came to 5 : 5 : 3 and then 5 : 5 : 4 as embodied in the statement of the Cabinet Delegation and yourself dated the 16th June, 1946, which was announced by you as final. Now you are making this fourth proposal *i.e.*, 6 : 5 : 3.

Every time the Congress turned down the previous three proposals as you were unable to appease them or propitiate them; and every time the departure was prejudicial to the League and in favour of the Congress.

And now you have put your fourth proposal for my consideration.

It gives a go by to all the important terms which were in favour of the Muslim League; the Congress

will have six members out of 14 as against 5 members of the Muslim League which breaks straightaway the principle of parity; and you are letting down the Scheduled Castes as one of them is proposed to be nominated by the Congress and not by the real spokesmen of the Scheduled Castes. I note that you say that five members will be nominated by the Muslim League. Next, three members by the minorities be nominated by the Viceroy without reference to or consultation with the Muslim League. The only indication that you have given is that one of these places will be kept for a Sikh.

Then you proceed on to say that 'it will not be open either to the Congress or the Muslim League to object to names submitted by the other party, provided they are accepted by the Viceroy' and from this I gather that it will be open to the Congress to nominate a quisling Muslim.

As to the distribution of portfolios, I note you say that "the Congress and the Muslim League will have an equitable share of the most important portfolios", and not equal as it was originally proposed.

As to the assurance about safeguards *i e.*, that a major communal issue could only be decided by the consent of both the major parties, you say that 'it will be only considered if freely offered by the Congress', but you do not attach much importance to it and you conclude by saying that if the interim government does not work when formed on this basis and if we find conditions unsatisfactory, it will be open to us to withdraw. I believe in the principle 'prevention is better than cure'.

This is a very clear and substantial departure, most detrimental to the Muslim League, and is obviously intended to appease the Congress and devised primarily to meet their wishes.

Taking the final proposal of June 16, 1946, in your letter dated the 20th of June you informed me that 14 members were invited by you on the basis of parity between Hindus and Muslims and community-wise and that it will not be changed without the agreement of two major parties. Apart from the secret talks you had with the Congress you clearly conveyed to us that the invitees were asked to join specifically on the basis of 5 Hindus, 5 Muslims, one Sikh, one Scheduled Caste, one Christian and, one Parsee. Your present proposal clearly destroys the principle of parity as well as representation according to communities and gives a clear majority to the Congress as against the Muslim League to start with.

Further the Scheduled Caste will be nominated by the Congress, which in my opinion is most unjust to a community of 60 million people, who are groaning under the social and economic tyranny of the high Caste Hindus, whom alone the Congress really represents.

As regards representatives of other minorities, they will be nominated by you without reference to or any consultation with the Muslim League. This again is a departure from what you stated in your letter of the 20th June, that 'if any vacancy occurs among the seats at present allotted to the representatives of the minorities, I shall naturally consult both the major parties before filling it.' I think you will appreciate that when you start with 6 Congress and 5 Muslim League with a Congress majority, the minority representatives will hold a very strong position as a balancing element, who would be nominated by you without having even consultation with the Muslim League and this is a serious departure from what we were assured of in your letter of the 20th of June.

You categorically state in your letter of 20th June paragraph 5 that no 'decision on a major communal issue

would be taken by the interim government if a majority of the representatives of either of the two major parties were opposed to it', whereas now in the present proposals you inform me that you will welcome a convention if freely offered by the Congress.

As you have written this letter to me and is strictly personal and secret I can only say that in my opinion there is no chance of my Working Committee accepting this proposal.

Yours sincerely,
(*Sd.*) JINNAH.

LETTER FROM THE VICEROY, DATED 8TH AUGUST, 1946.

(*Personal and secret.*)

Dear Mr. Jinnah,—I have received your letter of the 31st July, about my proposal for an interim government.

2. I am sorry that things have gone the way they have, but I do not think it would be profitable now to enter into a detailed discussion of the points you raise in your letter. I will only remind you that the basis of representation which I suggested in the letter to which you now reply is the same as the one the Muslim League Working Committee accepted at the end of June, namely, 6 : 5 : 3.

3. In view of the League resolutions of the 29th July, I have now decided to invite the Congress to make proposals for an interim government, and I am sure that if they make a reasonable offer to you of a coalition, I can rely on you for a ready response. I have told the President of the Congress that any interim government would be on the basis of the assurances given in my letter of the 30th May to Maulana Azad.

I hope we may have an opportunity of meeting soon.

Yours sincerely,
(*Sd.*) WAVELL.

As regards the rest of the broadcast, I shall deal with it as soon as possible after the full text of it is available to me.

Following is the text of Mr. Jinnah's statement:

"My reaction to the Viceroy's broadcast is that he has struck a severe blow to the Muslim League and Muslim India, but I am sure that Mussalmans of India will bear this up with fortitude and courage and learn lessons from our failure to secure our just and honourable position in the interim government and the Constituent Assembly.

"I once more repeat my question; Why has the Viceroy gone back on what was announced in the statement of the Cabinet Delegation and the Viceroy on June 16 as final and the assurances given to the Muslim League in his letter dated June 20? What had happened between June 16 and July 22 that he was pleased to change that formula vitally and substantially and what has happened between the July 22 and August 24 that he has gone ahead and jammed in a one-party government?

"He says in his broadcast that he was addressing those who advised him that this step should not have been taken in this way or at this time. I was one of those unfortunate persons and I still maintain that the step that he has taken is most unwise and unstatesmanlike and is fraught with dangerous and serious consequences and he has only added insult to injury by nominating three Muslims who, he knows, do not command either respect or confidence of Muslim India and two more Muslim names still remain to be announced.

"He is still harping that we are not opposed to the main policy of His Majesty's Government to fulfil their pledges by making India free to follow her own destiny. Of course we are not opposed to the freedom

of the peoples of India and we have made it clear that the only solution of India's problem is a division of India into Pakistan and Hindustan which would mean real freedom for the two major nations and every possible safeguard for the minorities in the respective States.

"I am sorrier than the Viceroy about his failure to secure a coalition government but my sorrow springs from a different fountain and for different reasons from those of his.

"I am glad that the Viceroy realises that what is needed is a coalition government in which both the main parties are represented and I am glad that he is also speaking on behalf of Pandit Jawaharlal Nehru and the Congress that they hold this view as strongly as he does and that their efforts will still be directed to persuade the League to join the government.

"I do not know what the Viceroy means when he says in his broadcast of his offer that has been made and which is still open. It is so vague except that the Muslim League will have five seats. Nothing else is clearly stated.

"He has referred to many other things into which I need not go at present. As regards the Constituent Assembly, I do not know what he means when he says: 'Here again let me remind you that assurances have been given to the League that the procedure laid down in the statement of May 16 regarding the framing of provincial and group constitutions will be faithfully adhered to. It is not a procedure, it is fundamental and basic. The question is whether it can be changed in any way whatsoever.'

"Then he proceeds to say that there can be no question of any change in the fundamental principles

proposed for the Constituent Assembly in paragraph 15 of the statement of May 16 and he echoes that the Congress are ready to agree that any dispute or interpretation may be referred to the Federal Court.

"But how can we expect an agreement on the terms and fundamentals of the statements of May 16 when one party puts one interpretation contrary to the authoritative statement of the Mission dated May 25 and the other party puts a different interpretation which is more in accord with the statement of May 25.

"But he complacently goes on to say that any dispute or interpretation may be referred to the Federal Court. To begin with, there is no provision for such a dispute being referred to the Federal Court, and secondly on the very threshold, the parties fundamentally differ in their interpretations regarding the basic terms.

"Are we going to commence the proceedings of the Constituent Assembly with litigation and law suits in the Federal Court? Is this the spirit in which the future constitution can be framed affecting 400 million people of this subcontinent?

"If the Viceroy's appeal is really sincere and if he is in earnest he should translate it into concrete proposals and by his deed and actions."

APPENDIX

Mr. M. A. Jinnah, President of the All-India Muslim League, wishing Mussalmans of India *Eid Mubarak* on the occasion of Eid-ul-Fitr, in the course of a message to them said, " Today the horizon is dark for us. The doings of the British Government and the Viceregal Lodge are shrouded in mystery; we are vilified, misrepresented and threatened from every direction and the Viceroy has gone headlong and seems to be persistent in his career, in a manner which is reckless and irresponsible. The Muslim League is ignored and by-passed; tremendous false propaganda is carried on to throw the blame on the Muslim League, for which there is not an iota of justification; the Viceroy and the British Government have surrendered to the Congress and it only remains for them now frankly to make a declaration that they have abdicated and are about to hand over to the Fascist Caste-Hindu Congress, the Government of this subcontinent.

"The British public is kept in darkness and Parliament is in recess. This has created a very grave and dangerous situation for us and we must face it as a united nation and go through the test and fire of being suppressed, oppressed and persecuted. I am confident that if 100 million Muslims stand united, all the manœuvres, machinations and designs of our opponents will fail miserably and we shall emerge out of this struggle triumphantly and shall achieve Pakistan which is our only salvation and without which we perish.

" We have argued; we have reasoned; we have supplicated and we have made great concessions but all to no purpose. There remains in front of us a grim struggle and we must face it boldly and courageously

but in a disciplined and organised manner and our failure or setback should not make us despair; nor should our success elate us. Our demands are just and righteous and we cannot fail.

"I appeal to every Mussalman at this critical juncture to rally round the Muslim League unreservedly, especially after what has happened during the last few months. Let there be no fratricidal war among Muslims and let us stand as one united nation under one flag and on one platform and be determined and prepared to face the worst as a completely united and great people with our motto: unity, faith and discipline. God is with us and we are bound to succeed."

Addressing an Eid gathering in Bombay, Mr. Jinnah appealed to Muslims all over India, and particularly to those who were not with the Muslim League *viz.*, Jamiat-ul-Ulema-i-Hind, Khaksars, Ahrars and Nationalist Muslims to unite and come under the banner of the Muslim League in the sacred interest of Islam.

He asked every Muslim of India to realise the grave situation that had arisen today and close their rank and file and stand united from one end of the country to the other. He urged them to prepare and organise because, he said, "Our opponents think we are not sufficiently strong to face the situation. We must make them realise their folly that they have misjudged the Mussalmans of India."

On September 2, when the Congress took office, the Muslims in India observed what is now known as the 'Black Flag Day.' On September 1, Mr. Liaquat Ali Khan, General Secretary of the League, said, "It is necessary to register the Muslim nation's silent contempt at the installation in office of the Hindu Congress and its satellites.

"As a mark of this, Muslims should, throughout the country, hoist black flags on their houses and places of business on September 2".

Pandit Nehru, leader of the new interim government, held a press conference on September 2 and said, "We propose to function as a corporate whole, as a cabinet, discussing not only our own individual departmental affairs, but also all important matters together and coming to joint decisions with joint responsibility."

He added "We enter on this enterprise in order to achieve our objective, that is, complete and full independence of India".

Speaking on the domestic affairs in the course of his broadcast made on September 7, Pandit Nehru said, "There has been much heated argument about sections and groupings in the Constituent Assembly. We are perfectly prepared to, and have accepted, the position of sitting in sections which will consider the question of formation of groups. I should like to make it clear, on behalf of my colleagues and myself, that we do not look upon the Constituent Assembly as an arena for conflict or for the forcible imposition of one viewpoint over another. That would not be the way to build up a contented and united India. We seek agreed and integrated solutions with the largest measure of goodwill behind them.

"We shall go to the Constituent Assembly with the fixed determination of finding a common basis for agreement on all controversial issues. And so, in spite of all that has happened and the hard words that have been said, we have kept the path of co-operation open, and we invite even those who differ from us to enter the Constituent Assembly as equals and partners with us with no binding commitments. It may well be that when we meet and face common tasks our present difficulties will fade away.

"India is on the move and the old order passes. Too long have we been passive spectators of events, the playthings of others. The initiative comes to our people now and we shall make the history of our choice. Let us all join in this mighty task and make of India, the pride of our heart, great among nations, foremost in the arts of peace and progress. The door is open and destiny beckons to all. There is no question of who wins and who loses, for we have to go forward and together as comrades and either all of us win or we all go down together. But there is going to be no failure. We go forward to success, to independence and to the freedom and well-being of the four hundred millions of India.—*Jai Hind!*"

Mr. Jinnah released the full official text of the interview which he gave to a correspondent of the *Daily Mail* from which a few extracts appeared in the press which Mr. Jinnah said were not correct.

He said, "If the British withdraw both their troops and the interest in the administration as they should, if they cannot manage honourably, we can sort out things for ourselves."

Mr. Jinnah added: "For the peace of India and the peace of the world a fresh start must be made. The wound is too deep and the negotiation of this summer has led to too much bitterness and rancour for us to prolong the present arguments. The slate must be wiped clear and we must begin from the beginning again.

"I shall never now go to London after what has been done by the Viceroy to plead my case, but were His Majesty's Government to invite me to London to start a new series of conferences on an equal footing with other negotiators I shall accept.

"No man can witness the present scenes of bloodshed in India without feelings of sorrow and pain. At

the same time if the British insist on doing nothing more than to support the present interim government with their bayonets, all I can say is that the Muslims can suffer it, but will never submit to it.

Referring to Pandit Nehru's broadcast, which was applauded by the Congress newspapers as an assurance to the Muslim League on the vexed provincial grouping Mr. Jinnah said:

"These are very vague words. He has made no definite proposals to me; you cannot butter parsnips with words; I have been stabbed and phrases and words will not stop the bleeding.

"What am I supposed to do now? It would be foolish for me to draft a series of demands and risk the possibility of having to retract one or more of them because the Congress refused to accept them. We have reached a deadlock. When Pandit Nehru came to me recently to offer me five seats in the new Central Government, he refused to discuss any other problem.

"The fact remains that Muslims in India have suffered a monstrous perpetration of wrong at the hands of the British Government. To be charitable, all I can say is that the Labour Government is too new and inexperienced to understand this problem fully. They have allowed themselves to be tricked by the Congress. They have failed to realise that there are two distinct nations in India. Each has different fundamental characteristics and natural ambitions. I can understand an alliance or treaty between them and they might in certain circumstances unite temporarily to face a common danger. But the idea of a permanent coalition is absurd. As the position now is one distinct nation is placed at the mercy of the numerical superiority of another.

"I see a very dark future ahead. I have received letters and telegrams of sympathy from all over the

Muslim world. If relations between Great Britain, America and Russia worsen there is no means of telling now which way Indian Muslims may be stampeded at a time of crisis.

"The question we ask is, 'What have we done to deserve this fate?" We have no reason to love the British but in 1942 when the Congress started their resistance movement against you, with the enemy at India's border, we refused to join it. At that time I can remember touring Muslim villages where women were reduced to the task of grave-digging because the entire manpower of the community was serving with the army.

"We accepted all proposals made to us by the Cabinet Mission; if I appeared tardy it was because I had been empowered only to negotiate and the final decision of refusal or acceptance had to be deferred to the next meeting of the All-India Muslim League Council. If we had later reversed our decision, it was because the Congress only accepted the long-term proposals with reservations which they refused to clarify.

"If you try to sell me this article", said Mr. Jinnah pointing to a silver ash tray. "and a piece of it is missing, I am entitled to ask you to replace the missing part before I agree to accept it. Subsequent Congress speeches and actions have proved that our course was amply justified."

Talking of the present wave of rioting throughout India, Mr. Jinnah indignantly disclaimed Muslims were responsible. He said, "prior to August 16, that is 'Direct Action Day,' when the rioting broke out in Calcutta we had issued very strictest instructions through our press, by circular and by letters to local League leaders that there was to be no violence.

"The sole purpose of the day was to explain to the public why Direct Action had become necessary.

We are entitled to free speech and to the right to stage peaceful demonstrations. We were attacked by Congress followers because they wanted to stamp out our propaganda and discredit our cause by creating disturbance and then throwing the blame on us."

"Defining Direct Action" Mr. Jinnah stated "that it was passive non-co-operation with the Government. It had not yet been resorted to and the details of the form which it is to take are now being worked out by a special committee in Delhi.

"Renunciation by League members of the title conferred by the British was not a Direct Action measure but a protest against the present attitude of the British Government."

Jinnah-Nehru Correspondence

The following is the correspondence which passed between Mr. M. A. Jinnah and Pandit Jawaharlal Nehru in connection with the negotiations for League-Congress agreement over the short-term issue: (Mr. Jinnah was invited by the Viceroy to hold discussions with him on the question of League's entry into the interim government. Mr. Jinnah arrived in Delhi on September 15 and had a series of meetings with the Viceroy—and Pandit Nehru also, and finally decided to join the interim government.)

1.—Letter from Pandit Jawaharlal Nehru to Mr. M. A. Jinnah, dated October 6, 1946

"I have consulted some of my colleagues about the matters discussed by us yesterday and over the possibility of *rapprochement* between the Muslim League and the Congress. We are all agreed that nothing could be happier and better for the country than that these two organisations should meet again as before as

friends having no mental reservations and bent on resolving all their differences by mutual consultation and never desiring or allowing the intervention of the British Government through the Viceroy or others or of any other foreign Power. We would, therefore, welcome the decision of the League to join the interim government for it to work as a united team on behalf of India as a whole.

The points put forward by you in our conversation yesterday were :

(1) the formula suggested to you by Gandhiji ;

(2) the League not being responsible for the members at present representing the Scheduled Castes and the minorities ;

(3) what should be done in case any vacancy should arise among the members representing the minorities other than the Scheduled Castes ;

(4) the procedure to be adopted over what may be called major communal issues, and

(5) alternating Vice-Presidentship.

Regarding No. 1, we feel that the formula is not happily worded. We do not question the purpose underlying it. We are willing, as a result of the elections, to accept the Muslim League as the authoritative representative organisation of an overwhelming majority of the Muslims of India and that as such and in accordance with democratic principles they have today the unquestionable right to present the Muslims of India, provided that for identical reasons the League recognises the Congress as the authoritative organisation representing all non-Muslims and such Muslims as have thrown in their lot with the Congress. The Congress cannot agree to any restriction or limitations to be put upon it in choosing such representatives as they think proper from amongst

the members of the Congress. We would suggest, therefore, that no formula is necessary and each organisation may stand on its merits.

Regarding No. 2, I am to say that the question of the League being responsible does not arise and, as you do not raise any objections to the present constitution of the Government in this respect, there is no question to be solved.

Regarding No. 3, I am to say that if any such vacancy arises, the whole Cabinet will consider what should be done, to replace the vacancy and advise the Viceroy accordingly. There can be no question of right in the matter of consultation with the League in regard to the representation of these minorities.

Regarding No. 4, your suggestion about the Federal Court is not feasible. Matters coming before the Cabinet cannot be made subject-matter of references to court. We should thrash out all such matters amongst ourselves and bring up agreed proposals before the Cabinet. In the event of failure to reach an agreed decision, we should seek the method of arbitration of our own choice. We hope, however, that we will act with such mutual trust, forbearance and friendliness that there will be no occasion to go to such arbitration.

Regarding No. 5, it is out of the question to have any rotation in the Vice-Presidentship. We have no objection if you desire to have an additional Vice-Chairman for the Co-ordination Committee of the Cabinet, who can also preside at such committee meetings from time to time.

I am hoping that if your Committee finally decide upon the League joining the National Cabinet, they will also decide simultaneously to join the Constituent Assembly, or recommend to your Council to this effect.

I need hardly mention that when an agreement has been reached by us it can only be varied by mutual agreement and not otherwise."

2.—Letter from Mr. M. A. Jinnah to Pandit Jawaharlal Nehru, dated October 7, 1946

"I am in receipt of your letter of 6th October, 1946, and I thank you for it: I appreciate and reciprocate your sentiments expressed in paragraph 1 of your letter.

With regard to the second paragraph of your letter, point No. 1, the formula, it was accepted by Mr. Gandhi and me and the meeting between us was arranged on that basis in order to negotiate and settle a few other points remaining for the purpose of reconstituting the interim government. The formula runs as follows:

'The Congress does not challenge and accept that the Muslim League now is the authoritative representative of an overwhelming majority of the Muslims of India. As such and in accordance with democratic principles they alone have today an unquestionable right to represent the Muslims of India. But the Congress cannot agree that any restriction or limitation should be put upon the Congress to choose such representatives as they think proper from amongst the members of the Congress as their representatives.'

And now, in your letter under reply, not only you have made changes in it but you consider no formula is necessary! I regret I cannot agree to any change in the language or otherwise, as it was the agreed basis of our discussion on other points; nor can I agree with you that no formula is necessary. It was signed by Mr. Gandhi and accepted by me.

As the whole basis of our talk on other matters was the formula agreed to by Mr. Gandhi, I don't think we can make any further progress unless it is accepted

by you as a basis upon which we can proceed to discuss other points we have already discussed orally in the course of our conversation and now I am enclosing herewith a copy of the various points put by me before you in writing.

Even the four points, excluding point No. 1 regarding the formula which I have already dealt with above, you don't agree with any one of them. I am still willing, on the basis of the formula being accepted by you, to further discuss the various points with a view to settle them in the spirit of the sentiments expressed by you in paragraph 1. I am anxious that we should come to our own settlement without undue delay."

Enclosures (9 Points)

1. The total number of the members of the Executive Council to be 14.

2. Six nominees of the Congress will include one Scheduled Castes representative, but it must not be taken that the Muslim League has agreed to, or approves of, the selection of the Scheduled Castes representative. The ultimate responsibility in that behalf being with the Governor-General and the Viceroy.

3. That the Congress should not include in the remaining five members of their quota a Muslim of their choice.

4. Safeguard.—That there should be a convention that on major communal issues, if the majority of Hindu or Muslim members of the Executive Council are opposed, then no decision should be taken.

5. Alternative or rotational Vice-President should be appointed in fairness to both the major communities as it was adopted in the U.N.O. Conference.

6. The Muslim League was not consulted in the selection of the three minority representatives, *i.e.* Sikh,

Indian Christian and Parsi, and it should not be taken that the Muslim League approves of the selection that has been made. But in future, in the event of there being a vacancy owing to death, resignation or otherwise, representatives of these minorities should be chosen in consultation with the two major parties—the Muslim League and the Congress.

7. Portfolios.—The most important portfolios should be equally distributed between the two major parties—the Muslim League and the Congress.

8. That the above arrangement should not be changed or modified unless both the major parties—the Muslim League and the Congress—agree.

9. The question of the settlement of the long-term plan should stand over until a better and more conducive atmosphere is created and an agreement has been reached on the points stated above and after the interim government has been reformed and finally set up.

This is what Mr. Gandhi said at a prayer meeting, after signing the formula stated in the above letter :

(Mr. Gandhi went on to say how he felt impelled to tell them of the error committed by him three days ago. He was thoroughly ashamed of it. For him, at this time of life, it was unpardonable. No harm had been done to anyone because of it. It was not possible for him to remember ever having done anything to hurt anyone.

His error consisted in being overhasty. He read a little thing hurriedly, though there was no occasion for hurry, and fancied it was quite right whereas it was not quite that. No public servant had the right to act in this way. He seemed, for the moment, to have lost confidence in himself and the belief that he would live for 125 years.

Mr. Gandhi said they who listened to him were his world for the time. He was telling them of his mistake in order that they may learn a lesson from it and, never be hasty or careless in their actions. While his mind had been relieved of a burden through confession, Mr. Gandhi said it would take a long time for him to regain the lost confidence as far as living 125 years was concerned.)

3.—Letter from Pandit Jawaharlal Nehru to Mr. Jinnah, dated October 8, 1946

"I received your letter of the 7th October as I was going to Baroda House to meet you there last evening. I hurriedly glanced through it and was perturbed by it as it seemed to me to be at variance with the spirit of our talk the previous day. Subsequently we discussed various points and unfortunately could not convince each other.

On my return I read through your letter more carefully and consulted some of my colleagues. They were also disturbed not only by the letter but also by the list of points attached to it. This list had not been seen or considered by us previously. It had little relevance after our talk.

We have again given earnest consideration to the whole matter and we feel that we cannot state our position more clearly than I did in my letter to you of October 6, except for some variations which I shall indicate below. I shall, therefore, refer you to that letter of mine which represents our general and specific viewpoint.

As I have told you, my colleagues and I did not accept the formula agreed to by Gandhiji and you.

The meeting between you and me was not arranged, so far as I was aware, on the agreed basis of that formula. We knew of it and were prepared to agree to the substance of that formula as stated to you in my letter of October 6. That formula contained a further paragraph which you have not quoted in your letter :

'It is understood that all the Ministers of the interim government will work as a team for the good of the whole of India and will never invoke the intervention of the Governor-General in any case.'

While we still think that the formula is not happily worded, we are prepared, for the sake of the settlement we so earnestly desire, to accept the whole of it, including the paragraph left out in your letter.

In that case you will agree, I hope, that we should make our further position quite clear. It is clearly understood of course that the Congress has the right to appoint a Muslim out of its quota. Further, as I have stated in my previous letter, the Congress position in regard to the Nationalist Muslims and the smaller minorities should not be challenged by you.

In regard to points numbered 2, 3 and 4 in my letter of October 6, I have stated our position and have nothing further to add. We have gone as far as we could to meet you and we are unable to go further. I trust that you will appreciate the position.

Regarding No. 5 (the question of the Vice-President), you made a suggestion yesterday that the Vice-President and the Leader of the House (the Central Assembly) should not be the same person. In present circumstances this means that the Leader of the House should be a Muslim League member of the Cabinet. We shall agree to this.

I am writing this letter to you after full and careful consideration of all the issues involved and after consulting such of my colleagues as are here. It is in no spirit of carrying on an argument that I have written but rather to indicate to you our earnest desire to come to an agreement. We have discussed these matters sufficiently and the time has come for us to decide finally."

4.—Letter from Mr. M. A. Jinnah to Pandit Jawaharlal Nehru, dated October 12, 1946

"I received your letter dated 8th October, 1946. yesterday in reply to my letter of October 7, 1946.

I regret that you and your colleagues do not accept the formula agreed to by Mr. Gandhi and me.

Mr. Gandhi and I had also agreed that on that basis you and I should meet in order to negotiate and settle a few other points that remained for the purpose of reconstituting the interim government. Accordingly arrangements were made for our meeting on the 5th of October.

I am surprised to gather from your letter, when you say that the meeting was not arranged, so far as you were aware, on the agreed basis of that formula. The only formula agreed upon between Mr. Gandhi and me was that which was mentioned in my letter of October 7, 1946. I had not mentioned in my letter, what is referred to by you as paragraph 2 as that was one of the points among others to be further examined and discussed by you and me. This arrangement was actually put on record.

At our first meeting on the 5th of October, we discussed all the points and you informed me that you will let me know the time that will suit you to meet

me the next day, but, instead of that, I received your letter of 6th October, 1946. In this letter you yourself referred to the formula as one mentioned in my letter of 7th October, and expressed your view that the formula was not happily worded and suggested a modification by inserting a proviso as follows :

> 'Provided that for identical reasons the League recognises the Congress as the authoritative organisation representing all non-Muslims and such Muslims as have thrown in their lot with the Congress.'

or else, if that was not agreed to you suggested no formula was necessary. There is no reference in your letter to what you describe as paragraph 2 as part of the agreed formula and you yourself dealt with that point quite separately in the opening paragraph of your letter which runs as follows:

> 'We are all agreed that nothing would be happier and better for the country than that these two organisations should meet again as before as friends having no mental reservations by mutual consultation and never desiring or allowing the intervention of the British Government through the Viceroy or others or of any other foreign Power.'

That, in substance, was the idea of the paragraph 2, mentioned by you, which among other matters was to be examined and discussed. I also referred to this matter in my reply stating that I appreciated and reciprocated the sentiments expressed in paragraph 1 of your letter of 6th October, 1946.

I fail to understand why you and your colleagues should have been disturbed not only by my letter of the 7th October, but also by the list of points attached to it. There was nothing new in that list of points which we had not discussed the first day, as it is clear from your letter of October 6, wherein you yourself have

dealt with everyone of the points mentioned in the list that I sent to you. Let me take one by one the points in the list sent to you in writing:

(1) Total number of 14:
That was not in dispute.

(2) The Scheduled Castes' representative:
That the League must not be taken to have agreed or approved of the selection, which is referred to in paragraph 2 of your letter.

(3) Nomination of Muslims in Congress quota:
The matter was discussed.

(4) Safeguard:
That was discussed as is clear from point 4 in your letter.

(5) Alternative or rotational Vice-President:
Was discussed and is referred as point No. 5 in your letter.

(6) Vacancies occurring in the seats allotted to minority representatives:
This matter was discussed and is referred to by you in your lettter point No. 3.

(7) Portfolios:
The matter was discussed.

(8) No change in the arrangements agreed to without the consent of both the major parties:
This was discussed and is referred to in the last paragraph of your letter.

(9) The long-term question:
This was discussed and is mentioned in your letter last but one paragraph.

All these points were discussed as is clear from what I have pointed out above and the list was sent to you merely as a matter of convenience and preciseness.

You state in your letter under reply that your position is the same with regard to the various matters that were discussed between us as is mentioned in your letter of the 6th of October, except for some variations which you have indicated in your letter.

Following are the variations and my reaction to them:

(1) That you would accept the formula provided paragraph 2 is included in the formula and is made a part of it.

This constitutes a fundamental departure from the original formula upon the basis of which I had agreed to have discussions with you. I cannot agree to this variation.

(2) Provided that the Muslim League does not challenge that the Congress represents the minorities and the Nationalist Muslims as indicated in terms of your previous letter of the 6th October and referred to in your letter under reply.

This again is a serious departure from the agreed formula. Besides this is a matter for the minorities concerned.

I note what you say with regard to points 2, 3 and 4 of your letter of October 6, *i.e.* Scheduled Castes' representative and other minorities; the position about the vacancies occurring in future in the seats allotted to the minorities and the procedure to be adopted with regard to major communal issues. Even, with regard to these points there is no agreement between us.

With regard to point No. 5 Vice-Presidentship, I note what you say.

Since you have stated your position after full and careful consideration of all the issues involved and after consultation with your colleagues, I presume that it

follows that this is your final stand. I deeply regret that we have failed to come to an honourable agreement of our own satisfactory to both the parties."

5.—LETTER FROM PANDIT JAWAHARLAL NEHRU TO MR. M. A. JINNAH, DATED OCTOBER 13, 1946

"I thank you for your letter of the 12th October. In this letter there are a number of mis-statements. What you have said does not fit in with my recollection of our conversations or what has taken place during the past few days. I need not, however, go into this matter now as I have been informed by the Viceroy that the Muslim League have agreed to nominate five persons on their behalf as members of the interim government."

6.—LETTER FROM MR. M. A. JINNAH TO PANDIT JAWAHARLAL NEHRU, DATED OCTOBER 14, 1946

"I am in receipt of your letter of October 13, 1946, and I thank you for it.

There is considerable speculation indulged in by the press and varying accounts are given of our negotiations and the termination of our discussions. I, therefore, propose to release all the correspondence passed between you and me, beginning with your letter of the 6th October and ending with your letter of the 13th.

JINNAH-WAVELL CORRESPONDENCE

LETTER FROM MR. JINNAH TO H. E. THE VICEROY, DATED OCTOBER 3, 1946

Dear Lord Wavell,—At the end of our last interview on October 2, 1946, it was agreed that I should finally put before you the various proposals that

emerged out of our discussions, for your consideration and reply. Accordingly, I am enclosing herewith the various proposals that have been formulated by me.

(*Sd.*) M. A. JINNAH

Enclosure :

1. The total number of the members of the Executive Council to be 14.

2. Six nominees of the Congress will include one Scheduled Caste representative, but it must not be taken that the Muslim League has agreed to, or approves of, the selection of the Scheduled Caste representative, the ultimate responsibility in that behalf being with the Governor-General and the Viceroy.

3. That the Congress should not include in the remaining five members of their quota a Muslim of their choice.

4. Safeguard.—That there should be a convention that on major communal issues, if the majority of Hindu or Muslim members of the Executive Council are opposed, then no decision should be taken.

5. An alternative or rotational Vice-President should be appointed in fairness to both major communities, as was adopted in the U. N. O. Conference.

6. The Muslim League was not consulted in the selection of the three minority representatives, *i.e.*, Sikh, Indian Christian and Parsi, and it should not be taken that the Muslim League approves of the selection that has been made. But in future, in the event of there being a vacancy owing to death, resignation or otherwise, representatives of these minorities should be chosen in consultation with the two major parties—the Muslim League and the Congress.

7. Portfolios.—The most important portfolios should be equally distributed between the two major parties—the Muslim League and the Congress.

8. That the above arrangement should not be changed or modified unless both the major parties—the Muslim League and the Congress—agree.

9. The question of the settlement of the long-term plan should stand over until a better and more conducive atmosphere is created and an agreement has been reached on the points stated above and after the interim government has been reformed and finally set up.

LETTER FROM H. E. THE VICEROY TO MR. JINNAH, DATED OCTOBER 4, 1946

Dear Mr. Jinnah,—Thank you for your letter dated yesterday. Replies to your nine points are as follows:

1 This is agreed.

2. I note that what you say and accept that the responsibility is mine.

3. I am unable to agree to this. Each party must be equally free to nominate its own representatives.

4. In a coalition government it is impossible to decide major matters of policy when one of the main parties to the coalition is strongly against a course of action proposed. My present colleagues and I are agreed that it would be fatal to allow major communal issues to be decided by vote in the Cabinet. The efficiency and prestige of the interim government will depend on ensuring that differences are resolved in advance of Cabinet meetings by friendly discussions. A coalition government either works by a process of mutual adjustments or does not work at all.

5. The arrangement of alternative or rotational Vice-Presidents would present practical difficulty, and I do not consider it feasible. I will, however, arrange to nominate a Muslim League member to preside over the Cabinet in the event of the Governor-General and the Vice-President being absent. I will also nominate a Muslim League member as Vice-Chairman of the Co-ordination Committee of the Cabinet, which is most important. I am Chairman of this Committee and in the past have presided almost invariably, but I shall probably do so only on special occasions in future.

6. I accept that both major parties would be consulted before filling a vacancy in any of these three seats.

7. In present conditions all the portfolios in the Cabinet are of great importance and it is a matter of opinion which are the most important. The minority representatives cannot be excluded from a share of the major portfolios and it would also be suitable to continue Mr. Jagjivan Ram in the Labour Portfolio. But, subject to this, there can be equal distribution of the most important portfolios between the Congress and the Muslim League. Details would be a matter for negotiation.

8. I agree.

9. Since the basis for participation in the Cabinet is of course acceptance of the statement of May 16. I assume that the League Council will meet at a very early date to reconsider its Bombay resolution.

(*Sd.*) WAVELL

LETTER FROM H. E. THE VICEROY TO MR. JINNAH, DATED OCTOBER 12, 1946

Dear Mr. Jinnah,—I confirm what I told you this evening, that the Muslim League are at liberty to

nominate anyone they wish for their own quota of seats in the Cabinet though any person proposed must of course be accepted by me and by His Majesty before being appointed.

My intention is to discuss portfolios when all the names have been received, both from the Muslim League and the Congress.

(*Sd.*) WAVELL

LETTER FROM MR. JINNAH TO H. E. THE VICEROY, DATED OCTOBER 13, 1946

Dear Lord Wavell,—The Working Committee of the All-India Muslim League have considered the whole matter fully and I am now authorised to state that they do not approve of the basis and scheme of setting up the interim government which has been decided by you, presumably with the authority of His Majesty's Government.

Therefore, the Committee do not, and cannot, agree with your decision already taken, nor with the arrangements you have already made.

We consider and maintain that the imposition of this decision is contrary to the declaration of August 8, 1940, but since, according to your decision, we have a right to nominate five members of the Executive Council on behalf of the Muslim League, my Committee have for various reasons come to the conclusion that in the interests of Mussalmans and other communities it will be fatal to leave the entire field of administration of the Central Government in the hands of the Congress. Besides, you may be forced to have in your interim government Muslims who would not command the respect and confidence of Muslim India, which would lead to very serious consequences: and, lastly, for other very weighty grounds and reasons, which are obvious

and need not be mentioned, we have decided to nominate five on behalf of the Muslim League in terms of your broadcast dated August 24, 1946, and your two letters to me dated October 4 and 12, embodying clarifications and assurances.

(*Sd.*) M. A. JINNAH

LETTER FROM H. E. THE VICEROY TO MR. M. A. JINNAH, DATED OCTOBER 13, 1946

Dear Mr. Jinnah,—Thank you for your letter of today's date. I am glad to know that the Muslim League has decided to join the interim government. Will you please let me have the names of the five representatives, as they are to be submitted to His Majesty for approval, and I should like to re-form the Government as soon as possible.

You promised yesterday that you would let me have the names today.

(*Sd.*) WAVELL

LETTER FROM MR. JINNAH TO H. E. THE VICEROY, DATED OCTOBER 14, 1946

Dear Lord Wavell,—I thank you for your letter of October 13. I am now sending you the names of five nominees on behalf of the Muslim League, as arranged in our interview of yesterday.

1. Mr. Liaquat Ali Khan, Honorary Secretary, All-India Muslim League, M.L.A. (Central).

2. Mr. I. I. Chundrigar, M.L.A. (Bombay), leader, Muslim League Party in the Bombay Legislative Assembly and President of the Bombay Provincial Muslim League.

3. Mr. Abdur Rab Nishtar, Advocate (N.W.F.P.) member of the Working Committee, All-India Muslim League, Committee of Action and Council.

4. Mr. Ghazanfar Ali Khan, M.L.A. (Punjab), member of the Council, All-India Muslim League; of the Council, Provincial Muslim League, and member of the Punjab Muslim League Working Committee.

5. Mr. Jogendra Nath Mandal, Advocate (Bengal), at present Minister of the Bengal Government.

(*Sd.*) M. A. Jinnah

Letter from H. E. the Viceroy to Mr. Jinnah, dated October 25, 1946

Dear Mr. Jinnah,—The portfolios that I can offer the Muslim League in the interim government are the following: Finance, Commerce, Posts and Air, Health and Legislative.

I should be grateful if you would let me know how you would propose that these portfolios should be distributed among the Muslim League representatives in the Cabinet.

I should like to get an announcement out tonight, and to swear in the new members, whom I shall warmly welcome, tomorrow.

(*Sd.*) Wavell

Letter from Mr. Jinnah to H. E. the Viceroy, dated October 25, 1946

Dear Lord Wavell,—I am in receipt of your letter of October 25, at 5-30 p.m. communicating your decision regarding portfolios.

I am sorry I cannot say that it is an equitable distribution, but we have discussed all the pros and cons and, as you have taken your final decision, I need not go into the matter further.

I am sending you below the names of the nominees of the Muslim League, showing how these portfolios should be distributed amongst them.

Finance, Mr. Liaquat Ali Khan.

Commerce, Mr. I. I. Chundrigar.

Post and Air, Mr. A. R. Nishter.

Health, Mr. Ghazanfar Ali Khan.

Legislative, Mr. Jogendar Nath Mandal.

(*Sd*) M. A. JINNAH

The League representatives (Mr. Liaquat Ali Khan—Finance; Mr. Chundrigar—Commerce; Sardar Abdur Rab Nishtar—Post and Air; and Mr. Ghazanfar Ali—Health) took charge of their respective portfolios on October 26. In the afternoon, Mr. Liaquat Ali Khan addressed a press conference and explained as to why the League decided to enter the interim government.

In the course of his address, Mr. Liaquat said, "We are aware of the great responsibility which we have undertaken and I can assure you that it is not with a light heart that we have decided to enter the interim government. The League has decided to enter the interim government in the interests of Muslim India and the peoples of this vast subcontinent."

Referring to press reports that the League had entered the Government after giving assurances and undertakings, Mr. Liaquat said, "We are a responsible organisation. We know what our duty is and there is no question of giving any assurance to anybody. This Government has been formed under the present constitution and as such there is no such things as joint or collective responsibility. Pandit Nehru is, therefore, nobody else's leader except of the Congress bloc in the Government. The term 'leader of the interim govern-

ment' is a polite fiction. The League bloc recognise no other leader except its own."

Mr. Liaquat answered various questions invited by him from the pressmen.

Q.—On the one hand you desire co-operation and on the other you shrink joint responsibility, which is another name for co-operation as against the Viceroy's veto. How would you reconcile this?

Ans.--Joint and collective responsibility is a constitutional term that is used in constitutional law and practice. There is under the present Government of India Act no such thing as collective or joint responsibility. I have said that we want to work in harmony and co-operation with other colleagues, and at the same time I have explained the constitutional position. I may tell my friend that I am willing to co-operate with him but co-operation does not mean that if my friend wants to drown himself in the sea I am going to follow him there. (Laughter.)

Q.—If someone tries to push me down into the water, will you stand by me?

Ans.— As a human being I will pull you out. (More laughter.)

Q.—Does this mean that you do not accept the leadership of Pandit Nehru?

Ans.—As I said, the Government has been formed under the present constitution. There is no such thing as leadership of the Government by one individual. In the Government there are nominees of the two major parties—the Congress and the Muslim League—and the representatives of the three minorities —the Sikhs, Indian Christians and Parsis.

"The Congress Party have a leader of their own; that means that the Congress bloc in the Government